

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US
Sent: Mon 8/24/2009 9:51:51 PM
Subject: Re: political deputy for OPEI

Deliberative

From: Richard Windsor/DC/USEPA/US
To: Lisa Heinzerling/DC/USEPA/US@EPA
Date: 08/24/2009 05:20 PM
Subject: Re: political deputy for OPEI

Deliberative

----- Original Message -----

From: Lisa Heinzerling
Sent: 08/24/2009 05:18 PM EDT
To: Richard Windsor
Subject: Re: political deputy for OPEI

No. Marcia has suggested water because that's where Louise's expertise and interests mostly lie.

Deliberative

From: Richard Windsor/DC/USEPA/US
To: Lisa Heinzerling/DC/USEPA/US@EPA
Date: 08/24/2009 05:15 PM
Subject: Re: political deputy for OPEI

Personal Privacy

----- Original Message -----

From: Lisa Heinzerling
Sent: 08/24/2009 05:11 PM EDT
To: Richard Windsor
Subject: Re: political deputy for OPEI

Deliberative

From: Richard Windsor/DC/USEPA/US
To: Lisa Heinzerling/DC/USEPA/US@EPA
Date: 08/24/2009 04:58 PM
Subject: Re: political deputy for OPEI

You have 2 deputy slots to fill?

Deliberative

----- Original Message -----

From: Lisa Heinzerling
Sent: 08/24/2009 04:56 PM EDT
To: Richard Windsor
Cc: Diane Thompson
Subject: Re: political deputy for OPEI
Am looking for strong manager for principal deputy spot.

From: Richard Windsor/DC/USEPA/US
To: Lisa Heinzerling/DC/USEPA/US@EPA
Cc: Diane Thompson/DC/USEPA/US@EPA
Date: 08/24/2009 04:42 PM
Subject: Re: political deputy for OPEI

His resume is awesome from a policy perspective but I thought you were looking for a strong manager to help you in that area. ??

From: Lisa Heinzerling/DC/USEPA/US
To: Richard Windsor/DC/USEPA/US@EPA
Cc: Diane Thompson/DC/USEPA/US@EPA, Marygrace Galston/DC/USEPA/US@EPA
Date: 08/24/2009 12:53 PM
Subject: political deputy for OPEI

Lisa,

I have a person in mind for the political deputy slot at OPEI. His name is Rob Verchick. He is a law professor in New Orleans. I've known him for quite a long time. He is smart, creative, personable, and kind. He has wide-ranging policy interests and would, I believe, be a breath of fresh air at OPEI. I'd like working with him. I have had preliminary discussions with him and am hopeful though not certain that he would accept the job if offered.

My hope for the political deputy slot is to find a person with broad policy expertise and interests, and a personality that will help OPEI be a truly constructive force within the agency. Rob is that kind of person.

I am attaching Rob's c.v. His on-line bio is at <<http://law.loyno.edu/faculty-staff/robert-r-m-verchick>>.

What do you think?

Best,
Lisa

[attachment "Verchick CV EPA.doc" deleted by Richard Windsor/DC/USEPA/US]

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Diane Thompson/OU=DC/O=USEPA/C=US
Sent: Tue 8/25/2009 11:50:11 AM
Subject: Fw: Gulf Coast Rebuilding Weekly Update ANNIVERSARY EDITION

8/23

8/24

[Listen to the POTUS interview here.](#)

FYI

Diane E. Thompson

Chief of Staff

U. S. Environmental Protection Agency

202-564-6999

----- Forwarded by Diane Thompson/DC/USEPA/US on 08/25/2009 07:49 AM -----

From: "Whelan, Moira" <Moira.WheLAN@dhs.gov>

To: "Leshner, Jan" <Jan.Leshner@dhs.gov>, "Wareing, Tracy" <Tracy.Wareing@dhs.gov>, "Kayyem, Juliette" <Juliette.Kayyem@dhs.gov>, "Tennyson, Stephanie L" <Stephanie.Tennyson@dhs.gov>, "Smith, Sean" <Sean.Smith@dhs.gov>, "Kuban, Sara A" <Sara.Kuban@dhs.gov>, "McNamara, Jason" <Jason.Mcnamara@dhs.gov>, "Fugate, Craig" <Craig.Fugate@dhs.gov>,

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Cc: "Woodka, Janet" <Janet.Woodka@dhs.gov>, "Banta, Drue" <Drue.Banta@dhs.gov>, "Watson, Shannon" <Shannon.Watson@dhs.gov>, "Fraser, Timothy" <Timothy.Fraser@dhs.gov>, "Simms, Nathan" <Nathan.Simms@dhs.gov>, "Stewart, Jessica" <Jessica.Stewart@dhs.gov>, "Goucher, Rob" <rob.goucher@dhs.gov>, "Lundqvist, Hanna" <Hanna.Lundqvist@dhs.gov>, "Gehring, Wendy" <Wendy.Gehring@dhs.gov>, "McConnell, Scott" <Scott.Mcconnell@dhs.gov>, "Lockett, Terrence" <Terrence.Lockett@dhs.gov>

Date: 08/24/2009 05:26 PM

Subject: Gulf Coast Rebuilding Weekly Update ANNIVERSARY EDITION

Office of the Federal Coordinator for Gulf Coast Rebuilding
Weekly Update 8/24/2009

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August 29th marks four years from when Hurricane Katrina made landfall. As we approach that anniversary, we here at Gulf Coast Rebuilding wanted to thank all of you for what you have been doing to help the Gulf Coast recover and rebuild. While there is still a long way to go for many of these communities, there is a new energy and optimism being reported and felt by many residents since January. This weekly report is, understandably, very focused on activities and events taking place around this anniversary. We want to thank all of you for the commitment and help that you have been giving us and we look forward to our continued work after August.

Thanks again,
Janet

Janet Woodka
Federal Coordinator
Office of Gulf Coast Rebuilding

Summary of Administration Related Anniversary Activities

Sunday, August 23

The New Orleans Times-Picayune ran two articles (Sunday, 8/23 and Monday, 8/24) on Administration rebuilding efforts featuring interviews with President Obama and Vice President Biden. Listen to the POTUS interview [here](#). St. Bernard Parish kicks off a week of events commemorating the parish's recovery and growth after Hurricane Katrina with the grand opening of Val Reiss Park in Chalmette. The rebuilding of Val Reiss Park was financed by a combination of FEMA and Community Development Block Grant funds.

Monday, August 24

Federal Coordinator Janet Woodka will participate in a roundtable discussion with Congressman Gene Taylor (D-MS) and Mayors from throughout the Mississippi Gulf Coast. The event is closed to press. DHS Secretary Napolitano, HUD Secretary Donovan and FEMA Administrator Fugate conduct interviews with the Times-Picayune.

Tuesday, August 25

Director of National Drug Control Policy Gil Kerlikowske will hold a press conference at the Covenant House at 10:30am, a youth residential facility and community health center in New Orleans, to talk about the Administration's initiatives on substance abuse and mental health. He will also attend a roundtable on criminal justice and drug policy issues with U.S. Attorney Jim Letten, NOPD Chief Riley, and others. Tentatively on his schedule is an editorial board meeting with The Gambit.

Deputy Secretary of Education Tony Miller will visit the Edible Schoolyard at Samuel J. Green Charter School in New Orleans (closed press) and then attend the dedication of Langston Hughes Academy, the first new school to open in New Orleans since Hurricane Katrina and the first L.E.E.D.-certified energy efficient school in Louisiana. The Deputy Secretary will be joined at Langston Hughes by Governor Jindal, Janet Woodka, FEMA's Tony Russell, CEO of NOLA 180 John Alford, local and state officials. The event will include a 2pm CST ribbon-cutting ceremony and media availability.

Wednesday, August 26

GCR will hold a press availability with Rebuilding Together to kick off a 4-day service project in which almost 100 federal employees will commit their time to work with several organizations to build houses in the New Orleans area.

Chief of the U.S. Army Corps of Engineers, Lt. Gen. Robert Van Antwerp will travel to New Orleans for meetings with the leadership of the New Orleans District. Brigadier Gen. Michael Walsh will also be in New Orleans on August 26. Walsh will travel to Baton Rouge on August 27 for a meeting with Governor Jindal.

Thursday, August 27

HUD officials including Secretary Shaun Donovan will be traveling to Louisiana and Mississippi to participate in various activities that focus on the community and economic revitalization of the region. Secretary Donovan will speak at breakfast roundtable of non-profit organizations sponsored by the Louisiana Disaster Recovery Foundation. The event is open to the press. He will also hold a press conference to break ground at the Lafitte Public Housing site. He will be joined by several HUD officials including Deputy Secretary Ron Sims, Assistant Secretary/FHA Commissioner David Stevens (Housing), Assistant Secretary Mercedes Marquez (Community Planning and Development), Assistant Secretary Sandra Henriquez (Public and Indian Housing), Assistant Secretary Raphael Bostic (Policy Development and Research), and Chief Counsel Helen Kanovsky.

CNN's Anderson Cooper will broadcast live from Musicians Village in New Orleans. Secretary Shaun Donovan may appear.

GCR will sponsor day two of its volunteer effort, joined by more than 40 volunteers building a house in Musicians Village with Habitat for Humanity.

Friday, August 28

GCR will sponsor day three of the volunteer rebuilding effort, taking the night shift in St. Bernard Project's 24 hour build with more than 40 federal employee volunteers.

The Senate Republican Conference is hosting a health care event at the Tulane University School of Medicine in New Orleans. Sens. Coburn and Barrasso are slated to attend along with the doctors in the Louisiana delegation (Boustany, Fleming, Cassidy). The rest of the Republicans in the delegation are expected to be there as well. The event is invitation only.

Saturday, August 29

GCR will participate in Louisiana My Heart My Home sponsored by the Louisiana Disaster Recovery Foundation with more than 40 federal volunteers. The event will include a moment of silence at 9:10am, a volunteer build led by Gen. Russell Honore, and a celebration with New Orleans food and Music.

St. Bernard Parish will commemorate the anniversary of Hurricane Katrina with a wreath ceremony and a moment of silence at 9:10am.

Last Week

On Monday, August 17, Secretary Napolitano was joined by FEMA Administrator Craig Fugate, Federal Coordinator for Gulf Coast Rebuilding Janet Woodka, and Southern University at New Orleans (SUNO) Chancellor Victor Ukpole to announce \$32 million in additional federal funding for four new buildings on SUNO's campus. This brought the total of FEMA public assistance obligated for SUNO to \$92 billion. The event received widespread positive coverage.

Several members of the OMB staff visited New Orleans and the Mississippi Gulf Coast on August 18-21. They toured sites related to housing, health, hurricane protection and education issues, and met with local stakeholders. Federal Coordinator Woodka, Tracy Wareing (DHS) and Fred Tombar accompanied them. The trip was supported by GCR, FEMA LA TRO and MS TRO, and USACE.

Rep. Maxine Waters (D-CA), Chairman of the House Financial Services Subcommittee on Housing hosted a Field Hearing on August 20-21 at Dillard University in New Orleans on housing issues, focusing specifically on the Road Home Program and the Big 4 housing developments. Witnesses included Fred Tombar, (HUD), Assistant Secretary for Public and Indian Housing (HUD), Paul Rainwater (LRA), Ommeed Sathe (NORA), Sandra Brooks Henriquez (HUD) and Mayor Ray Nagin. At the hearing, Waters called on the state of Louisiana to come up with a flat amount of money to give to Road Home grant recipients to make up for a gap in financing.

U.S. Census Bureau Director Robert M. Groves travelled to New Orleans on Tuesday, August 18, 2009 to address stakeholders who will help in raising awareness of the 2010 census. Census forms will be hand-delivered in the city of New Orleans and surrounding areas affected by hurricanes Katrina and Rita to get the most accurate count possible following concerns that the region could lose federal representation and funding.

The Louisiana Recovery Authority has requested that FEMA suspend its review of ALL first and second appeals pending release of regulations on the arbitration panel in order to give the LRA time to discuss the arbitration panel with individual applicants.

The Times-Picayune ran a story on Saturday, August 16, stating that DHH Secretary Levine is reopening discussions between LSU and Tulane University to resolve the academic medical center governance issue. Levine said he hopes some resolution can be reached as early as next week. The story also reported that local business leaders are urging Governor Jindal to get involved in the negotiations.

The Louisiana Division of Administration Office of Facility Planning and Control held a meeting on Wednesday, August 19 to unveil the most recent designs for the academic medical center. The Times-Picayune reported concerns from the historic preservation community about the design.

Congressman Cao was on MSNBC's "The Rachel Maddow Show" to discuss health care reform and his health care town halls.

The Mississippi River Commission, led by General Mike Walsh, USACE Commander of the Mississippi Valley Division, was in Louisiana the week of August 17 for its annual low water inspection trip.

In addition to attending the SUNO PA event and accompanying OMB, Federal Coordinator Woodka met with Wendell Pierce and the Pontchartrain Park Community Development Corporation; King and Ann Milling; and U.S. Attorney Jim Letten. On Tuesday, August 18, Coordinator she taped a 30-second public service announcement for the St. Bernard Project, for the 4NOLA series, in which she talked about what New Orleans meant to her personally and asked people to volunteer their time and efforts for the city. It may air on CNN's coverage of the Hurricane Katrina anniversary, and will be posted on the St. Bernard Project's website.

Comings and Goings

Senator Mary Landrieu may hold a field hearing on recovery in Galveston, TX in early September.

Tulane and LSU will be hosting a health care site visit for Louisiana delegation health care staffers on September 3.

The NATO Parliamentary Assembly plans to visit New York City and New Orleans on an emergency preparedness and disaster response trip October 3-5. FEMA Office of International Affairs is supporting the trip.

The National Fusion Center Conference will be held in New Orleans in March, 2010.

Forthcoming

President Obama announced his intention to visit the Gulf Coast "by the end of the year" in the August 23 Times-Picayune story.

The US Army Corps of Engineers (Corps) is hosting a Mitigation Workshop on August 31, 2009, at the New Orleans District Office. The purpose of the meeting is to have interested stakeholders present potential wetland mitigation alternatives associated with the unavoidable construction impacts related to hurricane protection projects in New Orleans.

GCR will be meeting with representatives from the GAO on September 3 to discuss pending reports on Gulf Coast rebuilding to be issued in the fall.

The House Appropriations Surveys and Investigations report on the Corps is due September 2009.

In addition to Katrina anniversary related activities, GCR staff will meet with several local stakeholders including Tim Williamson of the Idea Village, Kurt Weigle of the Downtown Development District, Caitlin Cain, of the Regional Planning Commission, and Belinda Little-Wood with the City of New Orleans on economic development matters. GCR staff will also be touring IP, a hub for start-ups and entrepreneurs, and meeting with representatives from USACE in the New Orleans District. GCR staff will also attend the USACE mitigation workshop on Monday, GCR staff will also be meeting with a number of hurricane protection and coastal restoration stakeholders including Garret Graves of the La. Coastal Protection and Restoration Agency, Billy Marchal of the Flood Protection Alliance and Mark Schexnayder, the LSU Chancellor's Coastal Advisor. GCR staff will also be supporting HUD Secretary Donovan's trip and the ONDCP Director's trip, in addition to Deputy Secretary of Education Tony Miller's trip.

The fourth anniversary of Hurricane Rita making landfall is September 24.

Moira Whelan
Deputy, Office of the Federal Coordinator for Gulf Coast Rebuilding
202-325-0196

To: "Richard Windsor" [Windsor.Richard@epamail.epa.gov]
From: CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US
Sent: Tue 8/25/2009 11:55:26 AM

Any more reactions to the idea of Rob Verchick as OPEI's political deputy? I'm anxious to move forward because vetting can take awhile. Marcia is probably leaving for her new position the first week of September, so we'll be shorthanded and I would like to minimize the amount of time that is true.

Thanks.

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Diane Thompson/OU=DC/O=USEPA/C=US
Sent: Tue 8/25/2009 1:25:38 PM
Subject: Re: Fw:

I am OK

Diane E. Thompson
Chief of Staff
U. S. Environmental Protection Agency
202-564-6999

From: Richard Windsor/DC/USEPA/US
To: "Diane Thompson" <thompson.diane@epa.gov>
Date: 08/25/2009 09:24 AM
Subject: Fw:

??? I'm inclined to let her go ahead provided you are OK.

----- Original Message -----

From: Lisa Heinzerling
Sent: 08/25/2009 07:55 AM EDT
To: Richard Windsor

Any more reactions to the idea of Rob Verchick as OPEI's political deputy? I'm anxious to move forward because vetting can take awhile. Marcia is probably leaving for her new position the first week of September, so we'll be shorthanded and I would like to minimize the amount of time that is true.

Thanks.

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US
Sent: Tue 8/25/2009 1:30:16 PM
Subject: Re:

Great. Thanks.

From: Richard Windsor/DC/USEPA/US
To: Lisa Heinzerling/DC/USEPA/US@EPA
Date: 08/25/2009 09:27 AM
Subject: Re:

I'm OK with it. And with leaving Louise for now.

----- Original Message -----

From: Lisa Heinzerling
Sent: 08/25/2009 07:55 AM EDT
To: Richard Windsor

Any more reactions to the idea of Rob Verchick as OPEI's political deputy? I'm anxious to move forward because vetting can take awhile. Marcia is probably leaving for her new position the first week of September, so we'll be shorthanded and I would like to minimize the amount of time that is true.

Thanks.

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Daniel Gerasimowicz/OU=DC/O=USEPA/C=US
Sent: Tue 8/25/2009 7:49:49 PM
Subject: Documents for 4:30 pm pre-brief on Middle Class Task Force
Middle Class Task Force Briefing.doc
Background Info.doc
Executive Summary to OVP 08-25-09.docx

Hi Administrator Jackson -

Attached below are the documents that Charles was planning on providing you with for the 4:30 PM briefing today - these will also be in your briefing book this evening.

The call-in number to connect directly to the briefing is Personal Privacy

Thank you very much,
Dan

Dan Gerasimowicz
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-7314
gerasimowicz.daniel@epa.gov

----- Forwarded by Daniel Gerasimowicz/DC/USEPA/US on 08/25/2009 03:46 PM -----

From: Charles Imohiosen/DC/USEPA/US
To: Daniel Gerasimowicz/DC/USEPA/US@EPA
Cc: Wyatt Rockefeller/DC/USEPA/US@EPA, Robin Kime/DC/USEPA/US@EPA
Date: 08/25/2009 03:45 PM
Subject: Documents for 4:30 pm pre-brief on Middle Class Task Force

Charles Imohiosen
Special Assistant to the Senior Counsel
Office of the Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460
(202) 564-9025

MCTF Background Info:

About the White House Task Force on Middle Class Working Families: The Task Force is a major initiative targeted at raising the living standards of middle-class, working families in America. It is comprised of top-level administration policy makers, and in addition to regular meetings, it will conduct outreach sessions with representatives of labor, business, and the advocacy communities. The Task Force will be chaired by Vice President Joe Biden. The Vice President and members of the task force will work with a wide array of federal agencies that have responsibility for key issues facing the middle class and expedite administrative reforms, propose Executive orders, and develop legislative and policy proposals that can be of special importance to working families.

Members of the Middle Class Task Force include: Vice President Biden, Chair; the Secretaries of Labor, Health and Human Services, Education, Treasury, Commerce, Housing and Urban Development, Transportation, and Agriculture; as well as the Directors of the National Economic Council, the Office of Management and Budget, the Domestic Policy Council, and the Chair of the Council of Economic Advisors

Goals of the task force:

- Expanding education and lifelong training opportunities
- Improving work and family balance
- Restoring labor standards, including workplace safety
- Helping to protect middle-class and working-family incomes
- Protecting retirement security

Attendees for the Wednesday Lunch:

- Vice President Biden
- Kathleen Sebelius, Secretary of Health and Human Services
- Gary Locke, Secretary of Commerce
- Hilda Solis, Secretary of Labor
- EPA Administrator Lisa Jackson
- Deputy Secretary of Education Tony Miller
- Undersecretary of Agriculture Kevin Concanon
- Deputy Secretary of Energy Dan Poneman
- HUD Assistant Secretary for Planning and Research Raphael Bostic
- Deputy Secretary of Transportation John Porcari
- Gene Sperling, Counselor to Treasury Secretary Geithner
- DPC Director Melody Barnes
- NEC Deputy Director Jason Furman
- CEA Member Cecilia Rouse
- Executive Associate Director of OMB Jeffrey Liebman
- CEQ Chair Nancy Sutley

- CEQ Special Advisor for Green Jobs, Enterprise and Innovation Van Jones

Event Details:

The purpose of the lunch is to begin planning the Middle Class Task Force's agenda for the next several months. The Vice President will make some brief opening remarks and then ask each participant for their specific suggestions on how the Task Force can do a better job of addressing the most pressing challenges facing middle class families. Each representative should come prepared to discuss one or two key ideas in the Task Force's core areas of concern – retirement security, child care and elder care, good jobs, pathways to the middle class, and healthy homes/communities.

CEQ will be presenting the Recovery Through Retrofit report to the MCTF. This is a great example of a collaborative effort and successful process approach taken by CEQ to work with the agencies and develop administrative and long-term/legislative actions that overcome barriers to widespread energy efficiency retrofits.

To: windsor.richard@epa.gov[]
From: CN=Scott Fulton/OU=DC/O=USEPA/C=US
Sent: Tue 8/25/2009 11:21:27 PM
Subject: Fw: ACTION draft for review -- Middle Class Task Force
20090826 Middle Class Task Force.doc

Fyi

----- Original Message -----

From: Charles Imohiosen

Sent: 08/25/2009 05:24 PM EDT

To: Diane Thompson; Scott Fulton

Subject: Fw: ACTION draft for review -- Middle Class Task Force

I asked Michael to take a shot at putting together some talking points for LPJ earlier in the day (see below), but I am not sure that they work. If you disagree, then I can send these to her as well.

Also, the most recent list of meeting attendees is as follows:

Attendees for the Wednesday Lunch:

Vice President Biden
Kathleen Sebelius, Secretary of Health and Human Services
Gary Locke, Secretary of Commerce
Hilda Solis, Secretary of Labor
EPA Administrator Lisa Jackson
Deputy Secretary of Education Tony Miller
Undersecretary of Agriculture Kevin Concannon
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CEA Member Cecilia Rouse
Executive Associate Director of OMB Jeffrey Liebman
CEQ Chair Nancy Sutley
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Charles Imohiosen
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(202) 564-9025

----- Forwarded by Charles Imohiosen/DC/USEPA/US on 08/25/2009 05:16 PM -----

From: Michael Moats/DC/USEPA/US
To: Allyn Brooks-LaSure/DC/USEPA/US@EPA, Seth Oster/DC/USEPA/US@EPA
Cc: Charles Imohiosen/DC/USEPA/US@EPA
Date: 08/25/2009 12:38 PM
Subject: ACTION draft for review -- Middle Class Task Force

Draft attached for your review and approval. This is for the event tomorrow with the VP. Charles has more details, but word on the street is, they will ask her a question on what we're doing. I'm assuming WH will want to review this so please let us know when it's ready to be vetted up high. Thanks.

Mike

Michael Moats

Speechwriter

US EPA | Office of the Administrator

Office: 202-564-1687

Mobile: Personal Privacy

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
From: CN=Scott Fulton/OU=DC/O=USEPA/C=US
Sent: Tue 8/25/2009 11:58:15 PM
Subject: Re: ACTION draft for review -- Middle Class Task Force

He has potential - underutilized so far, I think.

----- Original Message -----

From: Richard Windsor
Sent: 08/25/2009 07:27 PM EDT
To: Scott Fulton
Subject: Re: ACTION draft for review -- Middle Class Task Force
Tx. Charles did a nice job with this. Lj

----- Original Message -----

From: Scott Fulton
Sent: 08/25/2009 07:21 PM EDT
To: windsor.richard@epa.gov
Subject: Fw: ACTION draft for review -- Middle Class Task Force
Fyi

----- Original Message -----

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Sent: 08/25/2009 05:24 PM EDT
To: Diane Thompson; Scott Fulton
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Washington, D.C. 20460
(202) 564-9025

----- Forwarded by Charles Imohiosen/DC/USEPA/US on 08/25/2009 05:16 PM -----

From: Michael Moats/DC/USEPA/US
To: Allyn Brooks-LaSure/DC/USEPA/US@EPA, Seth Oster/DC/USEPA/US@EPA
Cc: Charles Imohiosen/DC/USEPA/US@EPA
Date: 08/25/2009 12:38 PM
Subject: ACTION draft for review -- Middle Class Task Force

Draft attached for your review and approval. This is for the event tomorrow with the VP. Charles has more details, but word on the street is, they will ask her a question on what we're doing. I'm assuming WH will want to review this so please let us know when it's ready to be vetted up high. Thanks.

Mike

[attachment "20090826 Middle Class Task Force.doc" deleted by Richard Windsor/DC/USEPA/US]

Michael Moats
Speechwriter
US EPA | Office of the Administrator
Office: 202-564-1687
Mobile: Personal Privacy

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Arvin Ganesan/OU=DC/O=USEPA/C=US
Sent: Wed 8/26/2009 12:18:19 AM
Subject: oversight documents
Barton - clean.doc
sensenbrenner clean.doc
2009-07-17 DEI & Sensenbrenner to Jackson-EPA - request materials EPA endangerment-Carlin
suppression due 7-30 re 6-23.pdf
barton 2.pdf

Attached are the documents that I referenced in my recent communique.

ARVIN R. GANESAN
Deputy Associate Administrator
Congressional Affairs
Office of the Administrator
United States Environmental Protection Agency
Ganesan.Arvin@epa.gov
(p) 202.564.5200
(f) 202.501.1519

1. Was Dr. Alan Carlin's work commenting on the Technical Support Document (TSD) dated March 2009 prepared as part of his official EPA duties?

Deliberative

2. Was the set of comments prepared during March 2009 by Dr. Carlin concerning the March 2009 draft of the TSD forwarded to EPA staff outside the National Center of Environmental Economics (NCEE)? (a) If so, please identify by name and office all EPA staff who received the document and explain how EPA staff outside NCEE came into possession of a document his supervisor said he would not forward to the program office responsible for preparing the proposed endangerment finding? (b) Please provide all documents, including, but not limited to, emails, calendar records, and meeting notes, relating to (1) Dr. Carlin's written comments on the draft(s) of the TSD, (2) his expressed views about climate change, and (3) his analysis or comments about the EPA process for developing an endangerment proposal.

Deliberative

3. Why was Dr. Carlin directed not to work any longer on climate change on March 17, 2009? (See email, attached). Do you support this directive? If not, when was Dr. Carlin allowed to work on climate change again?

Deliberative

Deliberative

4. Concerning the March 12, 2009, email from Dr. Al McGartland to Dr. Carlin and Dr. John Davidson: (1) explain the “tight schedule and the turn of events” and (2) explain why these two individuals were not to have “any direct communication with anyone outside of NCEE on endangerment,” including “no meetings, emails, written statements, phone calls etc.” (see attachment). (a) Were similar directives applied to others identified as authors and contributors to the TSD? If so, which person(s) originated these directives and when and how were they issued? (b) Have you, your staff, or EPA management restricted communication by any other career staff, particularly senior career professional staff, on the topic of climate change or any other science policy matter? If no, did this directive reflect your policies? Are you in agreement with this directive? (c) Please provide all documents, including, but not limited to, emails, calendar records, and meeting notes, relating to the decision to direct Dr. Carlin or Dr. Davidson not to communicate with anyone outside of NCEE on endangerment, including any directives or memoranda relating to your guidance on staff communication and/or on ensuring the scientific integrity and transparency at the EPA. (d) Have you had any concerns about unauthorized disclosures of information? Did those concerns ever involve NCEE?

Deliberative

Deliberative

5. In your July 10, 2009, telephone conversation with Ranking Member Barton, you stated that Al McGartland was “counseled” about his actions or emails regarding Dr. Carlin. Please explain how and when he was counseled, who counseled him, what specifically he was counseled about, and who ultimately directed that he be counseled. What was the basis for the counseling? Did EPA conduct an internal investigation of Dr. McGartland’s conduct? If so, what was the allegation, and what did EPA find?

Deliberative

6. Please identify and provide documentation for the specific events you referenced in your July 7 Senate testimony that formed the basis for your statements regarding Dr. Carlin’s attendance at or participation in conferences, and identify which specific events occurred during prior administrations and which specific events, if any, occurred during the Obama administration. (a) Please provide records of travel requests since January 1, 2004 sought by and granted or not granted to Dr. Carlin for attendance at conferences or speaking engagements on the topic of climate change.

Deliberative

Deliberative

7. Please provide the date(s) and list of attendees for each of the EPA brown bag lunches related to climate change science, policy, or economics, referred to in your July 7 Senate testimony, in which Dr. Carlin participated.

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8. According to a June 29, 2009, press interview with Dr. Carlin by FOXnews.com, Dr. Carlin says his supervisor, Dr. Al McGartland, was pressured to take Dr. Carlin off of climate research when he attempted to submit his TSD comments. Please identify the person(s) who instructed Dr. McGartland to remove Dr. Carlin from climate research, and the basis for their instruction. If EPA does not have this information, please explain why and how Dr. McGartland could be counseled without all pertinent facts.

Deliberative

9. Please describe the purpose, role and functions of the Office of Policy, Economics, and Innovation (OPEI), including the NCEE, within your headquarters operation.

Deliberative

10. Please describe any ongoing efforts to evaluate the role of OPEI, the NCEE, or its other component offices and what your plans are for this office or any of its components, including plans for staffing increases (or decreases), for changes to staff expertise, for changes to its function or role within the Agency Action Development plan process or rulemaking process or other advisory or support function. (a) Please provide any evaluations of OPEI or its components you or your staff have requested to be conducted.

Deliberative

11. Please describe the EPA resources that have been and are planned to be devoted to the OPEI, including detailed budget information, broken out by center and function, the number of EPA employee positions (FTEs) assigned to work in these offices and their roles, the availability of contract funding support, performance goals, and measures for these specific office functions. Please provide this information for each of the years FY2008, FY2009 and FY2010.

Deliberative

12. Please describe the development of the TSD, including its initial development during the Bush Administration, and how the draft that circulated for review in March 2009 differed from the draft prepared in the Bush Administration? How was it updated?

Deliberative

Deliberative

13. Please identify the office and branch and individual(s) in charge of developing the draft TSD initially and the TSD draft that circulated in March of this year. Please

also identify who in your office was responsible for advising you on and monitoring the draft TSD and its development.

Deliberative

14. Please explain why the EPA identifies Dr. Carlin as an EPA author and contributor to the April 17, 2009, TSD. What specifically was his contribution, when did he make that contribution, and what was the interaction between Dr. Carlin and EPA staff preparing the April TSD about his contribution, if any?

Deliberative

15. What was the schedule for EPA's internal review of the TSD prior to submitting the proposed endangerment finding to the Office of Management and Budget for review? (a) Who set the deadline for submission to OMB for review? (b) Did you or your staff attend or participate in any internal workgroup meetings or conference calls relating to the development of the TSD? If so, please identify who attended or participated, when, and why. (c) Please provide all documents relating to the schedule for preparation of the TSD, including but not limited documents reflecting the schedules and timetables for the drafting of the TSD and obtaining comments from EPA agency staff, calendars and attendance records for TSD workgroup meetings and conference calls, as well as all internal guidance and directives for preparing the TSD. (d) Why were offices, including the OPEI, outside of the Office of Air and Radiation given only about one week to comment on the TSD? (e) Please list the last 10 proposed rulemakings for which OPEI or its component offices were asked to comment, and identify how much time was provided to OPEI and NCEE for comment on each of these rulemakings.

Deliberative

Deliberative

16. Please explain the specific role and contributions of Stratus Consulting, the reported contractor that assisted EPA staff with preparation of the TSD.

Deliberative

17. Please explain the specific contributions of other EPA staff listed as “authors and contributors” to the TSD and explain how their contributions and evaluations were documented.

Deliberative

18. Please explain (1) the process for choosing, (2) the specific role, and (3) contributions and date of contributions of the Federal expert reviewers listed in the April 17, 2009 TSD.

Deliberative

19. During the July 10 telephone call with Ranking Member Barton, you participated in the call via a speaker phone. If others were in your office during this call, please list their names nad affiliations and provide any notes taken of the phone conversation and when you muted the phone.

Deliberative

20. If the EPA withholds any documents or information in response to this letter, please provide a Vaughn Index or log of the withheld items. The index should list the applicable question number, a description of the withheld item (including the date of the item), the nature of the privilege or legal basis for the withholding, and a legal citation for the withholding claim.

Deliberative

Attachment 1: Alan Carlin email on seminar series

Alan Carlin/DC/USEPA/US

10/08/2008 03:26 PM

To Neil Stiber/DC/USEPA/US@EPA

cc Al McGartland, Chris Dockins/DC/USEPA/US@EPA, Ann Wolverton/DC/USEPA/US@EPA, Carl Pasurka/DC/USEPA/US@EPA, Brett Snyder, John Davidson/DC/USEPA/US@EPA

Subject Write-ups for the next few climate science seminars
ct

We have now assembled a list showing dates, rooms, titles, and abstracts for the following upcoming speakers in the climate science seminar series and plan to add these to our NCEE website about noon on Tuesday, October 14. You may also wish to do so on your Web pages. Please advise if you have any comments/corrections. We could not add any biographical information on Dr. Ebi for lack of information, but would be happy to do so. All of the abstracts for those arranged here in NCEE have been written by the speakers themselves:

October 16, 2008 (1-2:30 pm), Room 4144, EPA West

Global Sea Level Rise

Carl Wunsch (MIT)

Abstract:

Like many aspects of climate change, the problem of determining, describing, and understanding shifts in "sea level" proves to be far more complicated and interesting than summary sound bites suggest. Something is now known of the spatial patterns of sea level change and they are very complex, showing major regions of falling sea surface over large areas. Although the best estimates of the global average all show a positive rate of rise, partitioning the rise between heating/cooling and the addition/subtraction of fresh water lies at the very edge of modern oceanographic observational and modeling techniques. The eventual societal costs of sea level rise, whether accelerated or stable at present estimated rates, are huge and to a large extent appear inexorable.

Prof. Wunsch is the Cecil and Ida Green Professor of Physical Oceanography at MIT. He is a member of the National Academy of Sciences and has authored or co-authored about 225 scientific papers and four books

**November 18, 2008 (2:00 pm), 4th Floor Conference Room, Ronald Reagan Building,
1300 Pennsylvania Avenue, NW, Washington, DC**

Human Health Impacts of and Public Health Responses to Climate Change

Kristie L. Ebi (independent consultant with ESS, LLC)

EPA Contact for this seminar: Neil Stiber, phone: 202-564-1573, E-mail: stiber.neil@epa.gov

Abstract:

Climate change is projected to have far-reaching effects on human health and well-being. Heatwaves and other extreme weather events (e.g., floods, droughts, and windstorms) directly affect millions of people and cause billions of dollars of damage annually. There is a growing consensus that the frequency and intensity of extreme weather events will likely increase over coming decades as a

consequence of climate change, suggesting that the associated health impacts also could increase. Indirectly, climate can affect health through affecting the number of people at risk of malnutrition, as well as through alterations in the geographic range and intensity of transmission of vectorborne, zoonotic, and food- and waterborne diseases, and changes in the prevalence of diseases associated with air pollutants and aeroallergens. Climate change has begun to alter natural systems, increasing the incidence and geographic range of some vectorborne and zoonotic diseases. Additional climate change is projected to significantly increase the number of people at risk of major causes of ill health, particularly malnutrition, diarrheal diseases, malaria, and other vectorborne diseases. Climate also can impact population health through climate-induced economic dislocation and environmental decline.

Public health has experience in coping with climate-sensitive health outcomes; the present state of public health reflects (among many other factors) the success or otherwise of the policies and measures designed to reduce climate-related risks. Climate change will make more difficult the control of a wide range of climate-sensitive health outcomes. Therefore, policies need to explicitly consider these risks in order to maintain current levels of control. In most cases, the primary response will be to enhance current health risk management activities. Although there are uncertainties about future climate change, failure to invest in adaptation may leave communities and nations poorly prepared, thus increasing the probability of severe adverse consequences. Equally, mitigation strategies, policies, and measures are needed to rapidly reduce emissions of greenhouse gases, to improve health today and to prevent health impacts in future decades. Policy makers need to understand the potential impacts of climate change, the effectiveness of current adaptation and mitigation policies, and the range of choices available for enhancement of current or development of new policies and measures.

December 9, 2008, Room 1117A, EPA East
Global Warming: What Is It All About?
Richard Lindzen (MIT)

While Global Warming is frequently presented as a single phenomenon that one either believes in or denies, the real situation is, unsurprisingly, much more complex. There are, in fact, certain aspects of the issue on which a substantial measure of agreement exists: namely, that global mean temperature has increased a few tenths of a degree since the 19th Century, and that increases in atmospheric CO₂ have contributed some part of this warming. We will examine some approaches to determining exactly how much of observed warming is actually due to anthropogenic greenhouse forcing, and how explicit feedbacks are involved in these results. However, the connection of this warming to catastrophic projections is extremely tenuous. Moreover, proposed mitigation policies have little relevance to warming regardless of the level of warming expected. Understanding these 'disconnects' not only helps one to assess the overall situation rationally, but also permits one to see how the issue is being improperly exploited.

Dr. Lindzen is the Alfred P. Sloan Professor of Meteorology at MIT. He is a member of the National Academy of Sciences and has authored or co-authored over 200 professional journal articles.

January 28, 2009, Room 4144, EPA West
How Natural and Anthropogenic Influences Alter Global and Regional Surface Temperatures: 1889 to 2006
Judith Lean (U.S. Naval Research Laboratory)

Abstract:

To distinguish between simultaneous natural and anthropogenic impacts on surface temperature, regionally as well as globally, we perform a robust multivariate analysis using the best available estimates of each together with the observed surface temperature record from 1889 to 2006. The results enable us to compare, for the first time from observations, the geographical distributions of responses to individual influences consistent with their global impacts. We find a response to solar forcing quite different from that reported in several papers published recently in this journal, and zonally averaged responses to both natural and anthropogenic forcings that differ distinctly from those indicated by the IPCC, whose conclusions depended on model simulations. Anthropogenic warming estimated directly from the historical observations is more pronounced between 45° S and 50° N than at higher latitudes whereas the model-simulated trends have minimum values in the tropics and increase steadily from 30 to 70° N.

Dr. Lean is a Senior Scientist for Sun-Earth System Research in the Space Science Division of NRL. She is a member of the National Academy of Sciences and the author or co-author of over 100 papers in professional journals.

February ??, 2009, TBA

Climate Change and Its causes: A Discussion about Some Key Issues

Nicola Scafetta (Duke University)

Abstract:

A comparison of past and recent studies suggests that the problem of climate change is complex, as it is evident. Several key issues remain open and their solution may drastically change our understanding of the phenomenon. The crucial issue is: how is it possible to address a problem such a climate change where several crucial physical ingredients are still severely uncertain? In particular, some of the key issues he will address are: a) Did the total solar activity remain constant (as the IPCC and PMOD claim) or increase (as ACRIM claims) since 1980? b) Was the preindustrial temperature almost constant (The Hockey Stick graph) or did it experience a large change? c) What is the contribution of the GHG forcing on climate change, was it overestimated in some important past publications and might this have contributed to shape and bias the following debate? It is evident that solving the above issues in one way or in another is crucial for correctly interpreting climate change. He will propose a solution based on minimal physical assumptions that appear to have been confirmed by a large scientific empirical and theoretical literature. This solution suggests that a significant portion of climate change is natural and linked to changes of solar activity. He will also address the puzzling possibility that climate change might be partially driven by an additional natural forcing different from the radiative one that has not been identified yet. Finally, he will use these findings to attempt a climate prediction about the 21st century and discuss the possibility of an imminent global cooling.

Dr. Scafetta is a research scientist in the Department of Physics at Duke. He has about 40 papers in peer reviewed journals and two books in preparation.

Alan Carlin
566-2250

Attachment 2: OPEI Budget - FY 2008 Through FY 2010

Program Project		FY 08 Enacted	FY 09 Enacted	FY 10 President's Budget
Brownfields (Funds a portion of Office of Cross Media Programs)	PC&B	\$694.0	\$725.0	\$760.0
	Extramural	\$507.0	\$478.0	\$486.0
	Sub Total	\$1,201.0	\$1,203.0	\$1,246.0
Regulatory Innovation (Funds a portion of Office of Cross Media Programs and all of National Center for Environmental Innovation)	PC&B	\$10,368.0	\$11,126.0	\$11,657.0
	Extramural	\$7,677.0	\$5,091.0	\$6,622.0
	Sub Total	\$18,045.0	\$16,217.0	\$18,279.0
Small Business (Funds a portion of Office of Cross Media Programs)	PC&B	\$680.0	\$718.0	\$756.0
	Extramural	\$527.0	\$537.0	\$545.0
	Sub Total	\$1,207.0	\$1,255.0	\$1,301.0
Regulatory/Economic- Management and Analysis (Funds Office of Regulatory Policy and Management, Immediate Office, Administrative Support and Innovation Staff and the National Center for Environmental Economics)	PC&B	\$13,797.0	\$14,611.0	\$15,272.0
	Extramural	\$2,486.0	\$2,118.0	\$7,056.0
	Sub Total	\$16,283.0	\$16,729.0	\$22,328.0
OPEI Sub Total		\$36,736.0	\$35,404.0	\$43,154.0
Regional PC&B (in Reg Innovation)		\$3,377.0	\$3,592.0	\$2,250.0
OPEI Grand Total		\$40,113.0	\$38,996.0	\$45,404.0

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ONE HUNDRED ELEVENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON ENERGY AND COMMERCE

2125 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6115

MAJORITY (202) 225-2927
FACSIMILE (202) 225-2525
MINORITY (202) 225-3641

energycommerce.house.gov

July 16, 2009

The Honorable Lisa Jackson
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator Jackson:

We write to follow up on Ranking Member Barton's June 24 letter to you (attached) to request additional information and documents relating to the facts and circumstances surrounding the preparation of the Environmental Protection Agency (EPA) proposed endangerment finding.

Questions about the process and treatment of critical opinion and debate within EPA have only increased since we wrote three weeks ago. Since that time, you or EPA spokesmen have issued statements at once minimizing the critical comments by a senior career employee, Dr. Alan Carlin, on the quality of the agency's basis for the proposed endangerment finding, and ignoring the substantive questions about the integrity of the EPA process raised by the alleged suppression of Dr. Carlin's report.

An EPA spokesperson said in response to press inquiries about emails indicating document suppression: "The individual in question [Dr. Carlin] is not a scientist and was not part of the working group dealing with this issue." This statement stands in conflict with the plain fact that Dr. Carlin is listed as an author and contributor to the EPA's Technical Support Document (TSD) prepared in support of the proposed endangerment finding, raising questions about the actual authorship and review process of this key document. In light of the apparent expedited pace with which this TSD was internally reviewed during your tenure, we also question whether listed authors, if they did contribute, had sufficient opportunity to evaluate and document whether the TSD represented a full, up-to-date examination of scientific evidence and uncertainties surrounding climate change.

In another instance, you testified during a July 7, 2009 Senate Environment and Public Works Committee hearing that you personally directed staff to inform Dr. Carlin that he could share his views widely, but you made no comments relating to the email evidence that Dr. Carlin was instructed not to discuss endangerment outside his immediate office, that he was to spend no more agency time on climate change or endangerment issues, and that his supervisor feared negative consequences for his office. These comments, therefore, left unaddressed our serious concerns about potential retaliation for dissenting views and the atmosphere for open debate, as well as the integrity of “scientific decision-making” at the agency for the proposed endangerment finding.

Your July 10 letter response and subsequent telephone conversation with Ranking Member Barton about that response did not mitigate our concerns about agency process and atmosphere. At this point, we cannot accept as plausible your contention that neither you nor your staff nor direct reports supplied or authorized timelines or other directives for collecting internal comments and for preparing the proposed endangerment finding, which was apparently sought by the Administration.

Furthermore, your letter was not fully responsive to the information and documents requested in our initial letter. Given the incomplete responses from EPA on this matter to date, we seek additional clarification to ensure Congress has the full and complete facts surrounding this matter. Accordingly, we write to seek additional information and documents pursuant to the inquiry sent on June 24, 2009. Please respond within two weeks of the date of this letter to the following:

1. Was Dr. Alan Carlin’s work commenting on the Technical Support Document (TSD) dated March 2009 prepared as part of his official EPA duties?
2. Was the set of comments prepared during March 2009 by Dr. Carlin concerning the March 2009 draft of the TSD forwarded to EPA staff outside the National Center of Environmental Economics (NCEE)?
 - a. If so, please identify by name and office all EPA staff who received the document and explain how EPA staff outside NCEE came into possession of a document his supervisor said he would not forward to the program office responsible for preparing the proposed endangerment finding?
 - b. Please provide all documents, including, but not limited to, emails, calendar records, and meeting notes, relating to (1) Dr. Carlin’s written comments on the draft(s) of the TSD, (2) his expressed views about climate change, and (3) his analysis or comments about the EPA process for developing an endangerment proposal.
3. Why was Dr. Carlin directed not to work any longer on climate change on March 17, 2009? (See email, attached). Do you support this directive? If not, when was Dr. Carlin allowed to work on climate change again?

4. Concerning the March 12, 2009, email from Dr. Al McGartland to Dr. Carlin and Dr. John Davidson: (1) explain the “tight schedule and the turn of events” and (2) explain why these two individuals were not to have “any direct communication with anyone outside of NCEE on endangerment,” including “no meetings, emails, written statements, phone calls etc.” (see attachment).
 - a. Were similar directives applied to others identified as authors and contributors to the TSD? If so, which person(s) originated these directives and when and how were they issued?
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 - d. Have you had any concerns about unauthorized disclosures of information? Did those concerns ever involve NCEE?
5. In your July 10, 2009, telephone conversation with Ranking Member Barton, you stated that Al McGartland was “counseled” about his actions or emails regarding Dr. Carlin. Please explain how and when he was counseled, who counseled him, what specifically he was counseled about, and who ultimately directed that he be counseled. What was the basis for the counseling? Did EPA conduct an internal investigation of Dr. McGartland’s conduct? If so, what was the allegation, and what did EPA find?
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7. Please provide the date(s) and list of attendees for each of the EPA brown bag lunches related to climate change science, policy, or economics, referred to in your July 7 Senate testimony, in which Dr. Carlin participated.

8. According to a June 29, 2009, press interview with Dr. Carlin by FOXnews.com, Dr. Carlin says his supervisor, Dr. Al McGartland, was pressured to take Dr. Carlin off of climate research when he attempted to submit his TSD comments. Please identify the person(s) who instructed Dr. McGartland to remove Dr. Carlin from climate research, and the basis for their instruction. If EPA does not have this information, please explain why and how Dr. McGartland could be counseled without all pertinent facts.
9. Please describe the purpose, role and functions of the Office of Policy, Economics, and Innovation (OPEI), including the NCEE, within your headquarters operation.
10. Please describe any ongoing efforts to evaluate the role of OPEI, the NCEE, or its other component offices and what your plans are for this office or any of its components, including plans for staffing increases (or decreases), for changes to staff expertise, for changes to its function or role within the Agency Action Development Plan process or rulemaking process or other advisory or support function.
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 - c. Please provide all documents relating to the schedule for preparation of the TSD, including but not limited documents reflecting the schedules and timetables for the drafting of the TSD and obtaining comments from EPA agency staff, calendars and attendance records for TSD workgroup meetings and conference calls, as well as all internal guidance and directives for preparing the TSD.
 - d. Why were offices, including the OPEI, outside of the Office of Air and Radiation given only about one week to comment on the TSD?
 - e. Please list the last 10 proposed rulemakings for which OPEI or its component offices were asked to comment, and identify how much time was provided to OPEI and NCEE for comment on each of these rulemakings.
16. Please explain the specific role and contributions of Stratus Consulting, the reported contractor that assisted EPA staff with preparation of the TSD.
- a. Please provide all documents related to the work performed by contractor(s) that assisted EPA staff in the preparation for the TSD issued in April 2009, including scoping documents, contracts, and drafts and comments, and any editorial contribution made by the contractor(s).
 - b. Please provide all documents related to the work to be performed by contractor(s) that are and/or will be assisting EPA staff responding to comments on the proposed endangerment finding and/or TSD, including scoping documents, and contracts.
17. Please explain the specific contributions of other EPA staff listed as “authors and contributors” to the TSD and explain how their contributions and evaluations were documented.
18. Please explain (1) the process for choosing, (2) the specific role, and (3) contributions and date of contributions of the Federal expert reviewers listed in the April 17, 2009 TSD.
- a. Please provide all comments and contributions by these reviewers, and related responses from EPA staff authors.
19. During the July 10 telephone call with Ranking Member Barton, you participated in the call via a speaker phone. If others were in your office during this call, please list their names and affiliations and provide any notes taken of the phone conversation and when you muted the phone.

20. If the EPA withholds any documents or information in response to this letter, please provide a Vaughn Index or log of the withheld items. The index should list the applicable question number, a description of the withheld item (including date of the item), the nature of the privilege or legal basis for the withholding, and a legal citation for the withholding claim.

Please provide the written responses and documents requested by no later than two weeks from the date of this letter. Should you have any questions, please contact Mr. Peter Spencer of the Minority Committee staff at (202) 225-3641.


Sincerely,



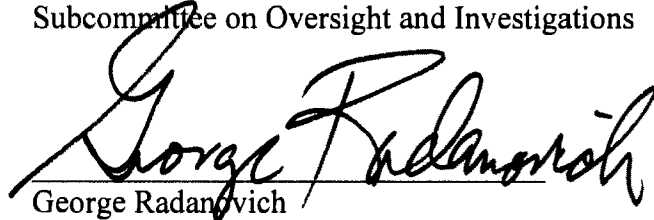
Joe Barton
Ranking Member



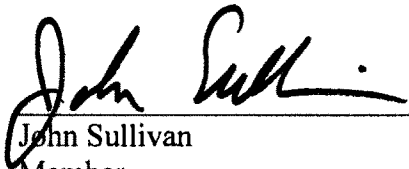
Greg Walden
Ranking Member
Subcommittee on Oversight and Investigations



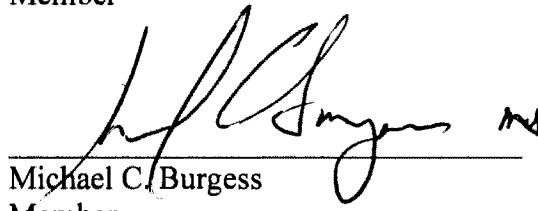
Nathan Deal
Member



George Radanovich
Member



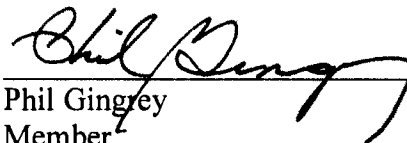
John Sullivan
Member



Michael C. Burgess
Member



Marsha Blackburn
Member



Phil Gingrey
Member

cc: The Honorable Henry A. Waxman
Chairman

The Honorable Bart Stupak
Chairman
Subcommittee on Oversight and Investigations

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ONE HUNDRED ELEVENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON ENERGY AND COMMERCE

2125 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6115

MAJORITY (202) 225-2927
FACSIMILE (202) 225-2525
MINORITY (202) 225-3641

energycommerce.house.gov

June 24, 2009

The Honorable Lisa Jackson
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator Jackson:

I write with reference to certain EPA emails which raise serious questions about the integrity, transparency and completeness of the Environmental Protection Agency's (EPA) rulemaking process for the agency's proposed finding that carbon dioxide and other greenhouse gases endanger public health and welfare.

I recently learned of agency emails that suggest that substantive analysis that was critical of the proposed endangerment finding, and that had been prepared by the agency's own staff, was barred from agency consideration by supervising EPA officials, based on concerns of negative consequences for the office from which the analysis had been generated. Further, the emails suggest the staff analysis was suppressed because the Administrator and the Administration had already decided to go forward with the endangerment finding, and that the office's budget would be further reduced if analysis or comments critical of the proposed finding were forwarded (see emails, attached).

On March 16, 2009, an email from what is reported to be a senior career economist in EPA's National Center for Environmental Economics (NCEE) requested to have his comments on the proposed finding forwarded within an apparent deadline to the agency's Office of Air and Radiation which apparently was managing development of the proposed finding. In pertinent part, the email notes:

"I believe my comments are valid, significant, and contain references to significant new research since the cut-off for IPCC and CCSP [climate science assessment] inputs. They are significant because they present information

critical to the justification (or lack thereof) for the proposed endangerment finding. They are valid because they explain much of the observational data that have been collected which cannot be explained by the IPCC models."

A subsequent March 17, 2009, email from the Director of the NCEE refuses to submit the document for further agency consideration, based on concerns that you and the Administration had already decided to move forward and that forwarding comments critical of the finding would have negative impacts for the office of NCEE. In pertinent part the email reads:

"The time for such discussion of fundamental issues has passed for this round. The administrator and the administration has [sic] decided to move forward on endangerment, and your comments do not help the legal or policy case for this decision.... I can only see one impact of your comments given where we are in the process, and that would be a very negative impact on our office."

Following this exchange, the employee was directed to spend no more agency time on the EPA's endangerment finding. In an email of that same date, the Director of NCEE also noted that "our budget was cut by 66%."

I understand NCEE to be an office located in EPA's Office of Policy, Economics and Innovation (OPEI), and that OPEI is the primary policy arm of EPA and has responsibility for managing the development of regulations. The agency's website (<http://www.epa.gov/opei/>.) also indicates that NCEE "provides EPA with the expertise to take economic issues, such as benefits and costs, into account" and that it is a resource for information regarding "benefit-cost research techniques," "economic impact models and measures," and "economic incentive mechanisms."

These emails, to the extent they accurately reflect decisions and events in the run-up to your April 2009 proposed endangerment finding, raise serious questions not only about the completeness and reliability of the information you relied upon in making the proposed endangerment finding, but also whether you truly sought objective and complete information in exercising your judgment. Suppression of material information from EPA's own staff and concerns about budget cuts for offices that submit comments critical of the proposed endangerment finding also raise serious questions concerning the transparency and integrity of EPA's analyses and the atmosphere of open and free intellectual discourse at the Agency.

The issue of climate change policy as well as EPA's regulation of greenhouse gases has been at the forefront of Congressional deliberation in recent months. It is imperative that we can be assured EPA operates with full information when making its regulatory science decisions, that information or analysis is not suppressed, that critical offices within EPA that are involved in policy and cost analyses do not receive retaliatory budget cuts if they offer views contrary to those of the Administration, and that the process for these decisions, which Congress relies upon, is not driven by a political agenda or an atmosphere that chills open and honest agency deliberation.

Accordingly, I write to seek information and documents relating to the aforementioned emails. Given the serious implications and concerns raised by these emails, I believe it is incumbent upon you to provide an immediate explanation regarding agency procedures and directives you have implemented for collecting information relating to the proposed endangerment finding. Please respond within two weeks of the date of this letter to the following:

1. Did you issue any directive or instructions to any agency staff that research or analyses relating to the endangerment finding by agency staff cease?
2. Have you or the EPA received any instructions from the Administration, including the Executive Office of the President, to cease any ongoing agency inquiry and analyses relating to the proposed endangerment finding?
3. Have you issued any direction to the NCEE office not to conduct any further analyses relating to the proposed endangerment finding?
4. Has EPA been seeking to reduce the budget of the NCEE office within EPA?
5. If yes, given the importance of economic analysis to rulemaking, including the importance of cost-benefit analyses, why has the NCEE budget been reduced?
6. Please provide all staff analyses submitted by the NCEE to the OAR relating to the proposed endangerment finding.
7. Please provide the documents, including any draft analysis, prepared by Dr. Alan Carlin, as referenced in the aforementioned emails.
8. Please provide all directives and information you supplied to agency employees, or the relevant office or department directors, concerning your process for collecting agency staff comments on the proposed endangerment finding.

Please provide the written responses and documents requested by no later than two weeks from the date of this letter. I would respectfully request, if the Agency withholds any documents or information in response to this letter, that a Vaughan Index or log of the withheld items be attached to the response. The index should list the applicable question number, a description of the withheld item (including date of the item), the nature of the privilege or legal basis for the withholding, and a legal citation for the withholding claim.

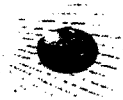
Should you have any questions, please contact Mr. Peter Spencer of the Minority Committee staff at (202) 225-3641.

Sincerely,

A handwritten signature in black ink that reads "Joe Barton". The signature is written in a cursive style with a large, stylized "J" and "B".

Joe Barton
Ranking Member

cc: The Honorable Henry A. Waxman
Chairman



Re: endangerment
Alan Carlin to: Al McGartland
Cc: John Davidson

03/12/2009 04:08 PM

Agreed.
Alan

Al McGartland

In light of the tight schedule and the turn of events, please do not have any dire...

03/12/2009 02:40:31 PM

From: Al McGartland/DC/USEPA/US
To: Alan Carlin/DC/USEPA/US@EPA, John Davidson/DC/USEPA/US@EPA
Cc: Chris Dockins/DC/USEPA/US@EPA, Steve Newbold/DC/USEPA/US@EPA
Date: 03/12/2009 02:40 PM
Subject: endangerment

In light of the tight schedule and the turn of events, please do not have any direct communication with anyone outside of NCEE on endangerment. There should be no meetings, emails, written statements, phone calls etc. All communication needs to go through Steve and me and then to Paul, and then to OAR.

Al McGartland, PhD.
Director, National Center for Environmental Economics
US EPA
1201 Pennsylvania Ave., N.W.
Washington, D.C. 20460

202.566.2244

Fw: Comments on the Endangerment TSD

Alan Carlin to: Steve Newbold

Cc: Al McGartland, John Davidson, Chris Dockins

03/16/2009 03:55 PM

Steve,

I have not heard from Al as of now so presumably the decision is yours as we approach the COB deadline today.

Since Friday I have endeavored to respond to your concerns about the extent of the material in my comments that have not so far appeared in the peer-reviewed scientific literature and about the title page in the hope that you will change your decision as to forwarding my comments to Paul and



then hopefully onto OAR. I am attaching a revised copy Endangerment comments v7b.doc with some improvements in the list of references and the title page changes you requested. I have not had time to improve the formatting, however. I would like to note, however, that by my rough count roughly two-thirds of my references are to peer-reviewed publications. It is also my view that the critical attribute of good science is its correspondence to observable data rather than where it appears in the technical literature. I believe my comments are valid, significant, and contain references to significant new research since the cut-off for IPCC and CCSP inputs. They are significant because they present information critical to the justification (or lack thereof) for the proposed endangerment finding. They are valid because they explain much of the observational data that have been collected which cannot be explained by the IPCC models.

There is still time to submit my comments to Paul and I urge you to do so.

Alan

— Forwarded by Alan Carlin/DC/USEPA/US on 03/16/2009 03:04 PM —

From: Alan Carlin/DC/USEPA/US
To: Steve Newbold/DC/USEPA/US@EPA
Cc: John Davidson/DC/USEPA/US@EPA
Date: 03/13/2009 10:49 AM
Subject: Re: Fw: Comments on the Endangerment TSD

Hi Steve,

The authorship is clearly indicated on the last page. Actually, much of the non-observational material (ie, statements that do not involve direct interpretation of existing data) is actually in peer-reviewed literature somewhere and I have tried to reference everything. If it is not going anywhere, I will postpone changing the cover, although this is easily done.

Alan


Steve Newbold

Alan, At the moment I am working on combining John's and my comments into...

03/13/2009 10:28:46 AM

EPA-0013430001118-0012



Re: endangerment comments??? 
Al McGartland to: Alan Carlin
Cc: John Davidson, Steve Newbold

03/17/2009 08:12 AM

Alan, I decided not to forward your comments. The time for such discussion of fundamental issues has passed for this round. The administrator and the administration has decided to move forward on endangerment, and your comments do not help the legal or policy case for this decision. I have stressed in previous emails that this is not a criteria document for climate change and greenhouse gases. If such a document is ever drafted, then perhaps your comments might be considered.

I can only see one impact of your comments given where we are in the process, and that would be a very negative impact on our office.

Al McGartland, PhD.
Director, National Center for Environmental Economics
US EPA
1201 Pennsylvania Ave., N.W.
Washington, D.C. 20460

202.566.2244

EPA-0013430001118-0013



climate change work
Al McGartland to: Alan Carlin

History: This message has been forwarded.

03/17/2009 08:20 AM

With the endangerment finding nearly final, you need to move on to other issues and subjects. I don't want you to spend any additional EPA time on climate change. No papers, no research etc, at least until we see what EPA is going to do with Climate.

I would like you to work with Marrietta to get that grants data base in place. I am not sure what the problem is there. Maybe its further along than I realize.

Also, I'd like you to update part of the market incentives report — inventorying the market incentive programs undertaken by the states (updating part of the market incentives report).

Let me know if you have even more time for other endeavors.

You may have heard that our budget was cut by 66%. This work will have to be done inhouse.

Al McGartland, PhD.
Director, National Center for Environmental Economics
US EPA
1201 Pennsylvania Ave., N.W.
Washington, D.C. 20460

202.566.2244

EPA-0013430001118-0014

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: CN=Scott Fulton/OU=DC/O=USEPA/C=US@EPA;CN=Diane Thompson/OU=DC/O=USEPA/C=US@EPA[]; N=Diane Thompson/OU=DC/O=USEPA/C=US@EPA[]
From: CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US
Sent: Wed 8/26/2009 1:41:04 PM
Subject: internal review process

I've checked with OPEI staff. I am told that no rule comes here without the relevant AA's approval. Our staff checks to make sure the AA has approved the item before moving it through our process.

I am getting a copy of the Johnson memo reconsideration package for your review.

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US
Sent: Wed 8/26/2009 1:53:52 PM
Subject: Re: internal review process

Yes. Rules come in with signed memos from the AA's transmitting the rules. I agree this is important.

In the case of the phase-in rule, however, OAR sent an unsigned memo. They told us to move the rule to OMB. We did not. They are now telling us that they have a signed version of the memo from Gina transmitting the rule to us. They haven't been able to locate that signed memo. We have an unsigned version of the memo.

We are holding the rule until you or Gina gives us the green light.

From: Richard Windsor/DC/USEPA/US
To: Lisa Heinzerling/DC/USEPA/US@EPA
Date: 08/26/2009 09:47 AM
Subject: Re: internal review process

Tx. Is that approval in the form of a physical signature from the relevant AAs office on a concurrence sheet? That is the kind of process and documentation trail I believe is warranted.

----- Original Message -----

From: Lisa Heinzerling
Sent: 08/26/2009 09:41 AM EDT
To: Richard Windsor
Cc: Scott Fulton; Diane Thompson
Subject: internal review process

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Cc: []
From: CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US
Sent: Wed 8/26/2009 1:57:14 PM
Subject: Re: internal review process

Thanks.

From: Richard Windsor/DC/USEPA/US
To: Lisa Heinzerling/DC/USEPA/US@EPA
Date: 08/26/2009 09:56 AM
Subject: Re: internal review process

I will follow up with Gina.

----- Original Message -----

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Sent: 08/26/2009 09:53 AM EDT
To: Richard Windsor
Subject: Re: internal review process

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Cc: CN=Craig Hooks/OU=DC/O=USEPA/C=US@EPA;CN=Cynthia
Giles/OU=DC/O=USEPA/C=US@EPA;CN=David
McIntosh/OU=DC/O=USEPA/C=US@EPA;CN=Gina
McCarthy/OU=DC/O=USEPA/C=US@EPA;CN=Lisa
Heinzerling/OU=DC/O=USEPA/C=US@EPA;CN=Mathy
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 N=Gina McCarthy/OU=DC/O=USEPA/C=US@EPA;CN=Lisa
 Heinzerling/OU=DC/O=USEPA/C=US@EPA;CN=Mathy
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 Oster/OU=DC/O=USEPA/C=US@EPA;CN=Sarah Pallone/OU=DC/O=USEPA/C=US@EPA[];
 N=Lisa Heinzerling/OU=DC/O=USEPA/C=US@EPA;CN=Mathy
 Stanislaus/OU=DC/O=USEPA/C=US@EPA;CN=Michelle
 DePass/OU=DC/O=USEPA/C=US@EPA;CN=Peter
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Oster/OU=DC/O=USEPA/C=US@EPA;CN=Steve
Owens/OU=DC/O=USEPA/C=US@EPA;CN=Bob
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Spears/OU=DC/O=USEPA/C=US@EPA;CN=Scott
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Mulkey/OU=DC/O=USEPA/C=US@EPA;CN=Seth
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Oster/OU=DC/O=USEPA/C=US@EPA;CN=Steve
Owens/OU=DC/O=USEPA/C=US@EPA;CN=Bob
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Ganesan/OU=DC/O=USEPA/C=US@EPA;CN=David
McIntosh/OU=DC/O=USEPA/C=US@EPA;CN=Lisa
Heinzerling/OU=DC/O=USEPA/C=US@EPA;CN=Allyn Brooks-
LaSure/OU=DC/O=USEPA/C=US@EPA;CN=Eric
Wachter/OU=DC/O=USEPA/C=US@EPA;CN=Craig
Hooks/OU=DC/O=USEPA/C=US@EPA;CN=Ray
Spears/OU=DC/O=USEPA/C=US@EPA;CN=Scott
Fulton/OU=DC/O=USEPA/C=US@EPA;CN=Marcia
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N=Seth Oster/OU=DC/O=USEPA/C=US@EPA;CN=Steve
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Ganesan/OU=DC/O=USEPA/C=US@EPA;CN=David
McIntosh/OU=DC/O=USEPA/C=US@EPA;CN=Lisa

Heinzerling/OU=DC/O=USEPA/C=US@EPA;CN=Allyn Brooks-
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Mulkey/OU=DC/O=USEPA/C=US@EPA;CN=Seth
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 Pallone/OU=DC/O=USEPA/C=US@EPA[]; N=Sarah Pallone/OU=DC/O=USEPA/C=US@EPA[]
From: CN=Diane Thompson/OU=DC/O=USEPA/C=US
Sent: Wed 8/26/2009 4:45:08 PM
Subject: Fw: Remarks by the President on the Passing of Senator Edward M. Kennedy

FYI

Diane E. Thompson
 Chief of Staff
 U. S. Environmental Protection Agency
 202-564-6999

----- Forwarded by Diane Thompson/DC/USEPA/US on 08/26/2009 12:43 PM -----

From: "Milakofsky, Benjamin E." [Personal Privacy]
 To: "Lu, Christopher P." [Personal Privacy] "Smith, Elizabeth S." [Personal Privacy]
 "Kimball, Astri B." [Personal Privacy] "Hurlbut,
 Brandon K." [Personal Privacy] "French, Michael J." [Personal Privacy]
 "Milakofsky, Benjamin E." [Personal Privacy]
 Date: 08/26/2009 10:36 AM
 Subject: Remarks by the President on the Passing of Senator Edward M. Kennedy

Dear Chiefs of Staff:

Please see the below remarks by the President.

--Cabinet Affairs

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

August 26, 2009

REMARKS BY THE PRESIDENT
ON THE PASSING OF SENATOR EDWARD M. KENNEDY

Blue Heron Farm
Chilmark, Massachusetts

9:57 A.M. EDT

THE PRESIDENT: I wanted to say a few words this morning about the passing of an extraordinary leader, Senator Edward Kennedy.

Over the past several years, I've had the honor to call Teddy a colleague, a counselor, and a friend. And even though we have known this day was coming for some time now, we awaited it with no small amount of dread.

Since Teddy's diagnosis last year, we've seen the courage with which he battled his illness. And while these months have no doubt been difficult for him, they've also let him hear from people in every corner of our nation and from around the world just how much he meant to all of us. His fight has given us the opportunity we were denied when his brothers John and Robert were taken from us: the blessing of time to say thank you -- and goodbye.

The outpouring of love, gratitude, and fond memories to which we've all borne witness is a testament to the way this singular figure in American history touched so many lives. His ideas and ideals are stamped on scores of laws and reflected in millions of lives -- in seniors who know new dignity, in families that know new opportunity, in children who know education's promise, and in all who can pursue their dream in an America that is more equal and more just -- including myself.

The Kennedy name is synonymous with the Democratic Party. And at times, Ted was the target of partisan campaign attacks. But in the United States Senate, I can think of no one who engendered greater respect or affection from members of both sides of the aisle. His seriousness of purpose was perpetually matched by humility, warmth, and good cheer. He could passionately battle others and do so peerlessly on the Senate floor for the causes that he held dear, and yet still maintain warm friendships across party lines.

And that's one reason he became not only one of the greatest senators of our time, but one of the most accomplished Americans ever to serve our democracy.

His extraordinary life on this earth has come to an end. And the extraordinary good that he did lives on. For his family, he was a guardian. For America, he was the defender of a dream.

I spoke earlier this morning to Senator Kennedy's beloved wife, Vicki, who was to the end such a wonderful source of encouragement and strength. Our thoughts and prayers are with her, his children Kara, Edward, and

Patrick; his stepchildren Curran and Caroline; the entire Kennedy family; decades' worth of his staff; the people of Massachusetts; and all Americans who, like us, loved Ted Kennedy.

END 10:00 A.M. EDT

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
From: CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US
Sent: Wed 8/26/2009 7:04:35 PM
Subject: Re: Federal Facilities on NPL

May I ask this question directly of OMB?

----- Original Message -----

From: Richard Windsor
Sent: 08/26/2009 10:26 AM EDT
To: Barry Breen; "Lisa Heinzerling" <heinzerling.lisa@epa.gov>; "Mathy Stanislaus" <stanislaus.mathy@epa.gov>
Subject: Federal Facilities on NPL
I'm hearing OMB is refusing to list the federal facility sites in Regions 9 and 10. True?

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US
Sent: Wed 8/26/2009 7:51:08 PM
Subject: Re: Federal Facilities on NPL

Got it.

From: Richard Windsor/DC/USEPA/US
To: Lisa Heinzerling/DC/USEPA/US@EPA
Date: 08/26/2009 03:14 PM
Subject: Re: Federal Facilities on NPL

See Mathy's note that I just forwarded to you. NOTE - I haven't read it yet.

----- Original Message -----
From: Lisa Heinzerling
Sent: 08/26/2009 03:04 PM EDT
To: Richard Windsor
Subject: Re: Federal Facilities on NPL
May I ask this question directly of OMB?

----- Original Message -----
From: Richard Windsor
Sent: 08/26/2009 10:26 AM EDT
To: Barry Breen; "Lisa Heinzerling" <heinzerling.lisa@epa.gov>; "Mathy Stanislaus" <stanislaus.mathy@epa.gov>
Subject: Federal Facilities on NPL
I'm hearing OMB is refusing to list the federal facility sites in Regions 9 and 10. True?

To: "Lisa Jackson" [windsor.richard@epa.gov]
From: CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US
Sent: Wed 8/26/2009 10:50:52 PM

I haven't sent you the Johnson memo reconsideration package we received yesterday yet because I learned Gina hasn't approved it. I didn't want to send you a package that may be in flux.

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: CN=Katharine Gage/OU=DC/O=USEPA/C=US@EPA[]
From: CN=Charles Imohiosen/OU=DC/O=USEPA/C=US
Sent: Wed 8/26/2009 11:01:04 PM
Subject: Texas Air Permitting Action Plan
Memo to the Administrator re Texas SIP Action Plan - FINAL.doc
Attachment 1 to memo - Roll Out Plan.doc
Attachment 2 - Deficiencies and Proposed Fixes.doc
Attachment 3 to memo - Environmental Benefits.doc
Attachment 4 to memo - Press Release.doc

Lisa --

Enclosed is a memo from me, Gina McCarthy and Larry Starfield that reviews the strategy and action plan for our partial disapproval of the Texas permitting SIPs. OECA, OAR and OGC have been heavily involved in this effort, along with the region, and Gina and Cynthia have reviewed and approved the memo. OCIR and OPA have advised on the roll-out plan. The Federal Register notices proposing our SIP disapprovals are still being scrubbed but are targeted for signature (by the Region) toward the middle of next week.

Deliberative

Warm regards,

Bob

Robert M. Sussman
Senior Policy Counsel to the Administrator
Office of the Administrator
US Environmental Protection Agency

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US
Sent: Thur 8/27/2009 3:45:27 AM
Subject: Re: Fw: Johnson Memo package

Deliberative

From: Richard Windsor/DC/USEPA/US
To: Lisa Heinzerling/DC/USEPA/US@EPA
Date: 08/26/2009 11:32 PM
Subject: Fw: Johnson Memo package

Deliberative

----- Forwarded by Richard Windsor/DC/USEPA/US on 08/26/2009 11:28 PM -----

From: Gina McCarthy/DC/USEPA/US
To: "Richard Windsor" <Windsor.Richard@epamail.epa.gov>
Date: 08/26/2009 06:38 PM
Subject: Fw: Johnson Memo package

----- Original Message -----

From: Don Zinger
Sent: 08/26/2009 12:01 PM EDT
To: Gina McCarthy
Subject: Fw: Johnson Memo package

Gina,

Deliberative

----- Forwarded by Don Zinger/DC/USEPA/US on 08/26/2009 11:57 AM -----

From: Peter South/RTP/USEPA/US
To: Don Zinger/DC/USEPA/US@EPA
Cc: Jeffrey Clark/RTP/USEPA/US@EPA
Date: 08/26/2009 11:45 AM
Subject: Fw: Johnson Memo package

Hi Don,

Deliberative

Deliberative

If you need additional information, please give me a call.

Pete South

Office of Air Quality Planning and Standards/IO

Office of Air and Radiation

U.S. EPA

Phone: 919 541-5359

Cell: **Personal Privacy**

----- Forwarded by Peter South/RTP/USEPA/US on 08/26/2009 11:32 AM -----

From: Michael Ling/RTP/USEPA/US

To: Jeffrey Clark/RTP/USEPA/US@EPA, Don Zinger/DC/USEPA/US@EPA

Cc: Bill Harnett/RTP/USEPA/US@EPA, Peter South/RTP/USEPA/US@EPA

Date: 08/26/2009 11:30 AM

Subject: Johnson Memo package

Jeff and Don, here is the status of the Johnson Memo package:

We are planning on sending Gina the Johnson Memo reconsideration package by Friday. This would be for transmittal to OPEI to eventually go to OMB. I know that there has been no decision on timing, but we thought it would be best for OAR to have it in DC in case a decision was made to time this with the tailoring rule and vehicle rule.

Although this rule cleared "Final Agency Review" about 2 1/2 weeks ago (8/10), we have not transmitted it to OAR (as would normally have been done) because we had that Big Stone Petition issue (which OGC briefed Gina on) regarding the CA waiver, and Gina decided to beef that up in the package. Gina also decided to add a proposal

Deliberative

Deliberative

Let us know if you have any questions about process or substance of the package. Thanks.

Michael Ling

Associate Director

Air Quality Policy Division

U.S. EPA - OAQPS

(919) 541-4729

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US
Sent: Thur 8/27/2009 2:53:03 PM
Subject: Re: Federal Facilities on NPL

Mathy says he briefed you on this and is reaching out to OMB and BLM himself. I'm assuming this is the direction you gave him and that I should let him work this process -- ?

From: Richard Windsor/DC/USEPA/US
To: Lisa Heinzerling/DC/USEPA/US@EPA
Date: 08/26/2009 03:14 PM
Subject: Re: Federal Facilities on NPL

See Mathy's note that I just forwarded to you. NOTE - I haven't read it yet.

----- Original Message -----
From: Lisa Heinzerling
Sent: 08/26/2009 03:04 PM EDT
To: Richard Windsor
Subject: Re: Federal Facilities on NPL
May I ask this question directly of OMB?

----- Original Message -----
From: Richard Windsor
Sent: 08/26/2009 10:26 AM EDT
To: Barry Breen; "Lisa Heinzerling" <heinzerling.lisa@epa.gov>; "Mathy Stanislaus" <stanislaus.mathy@epa.gov>
Subject: Federal Facilities on NPL
I'm hearing OMB is refusing to list the federal facility sites in Regions 9 and 10. True?

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US
Sent: Thur 8/27/2009 3:45:50 PM
Subject: Re: Federal Facilities on NPL

Sounds good. He and I just spoke.

From: Richard Windsor/DC/USEPA/US
To: Lisa Heinzerling/DC/USEPA/US@EPA
Date: 08/27/2009 11:40 AM
Subject: Re: Federal Facilities on NPL

I also asked him to loop you in. But yes, he should be lead on getting a mtg of politicals (him, you, political for BLM, political from BOI to discuss).

----- Original Message -----

From: Lisa Heinzerling
Sent: 08/27/2009 10:53 AM EDT
To: Richard Windsor
Subject: Re: Federal Facilities on NPL

Mathy says he briefed you on this and is reaching out to OMB and BLM himself. I'm assuming this is the direction you gave him and that I should let him work this process -- ?

From: Richard Windsor/DC/USEPA/US
To: Lisa Heinzerling/DC/USEPA/US@EPA
Date: 08/26/2009 03:14 PM
Subject: Re: Federal Facilities on NPL

See Mathy's note that I just forwarded to you. NOTE - I haven't read it yet.

----- Original Message -----

From: Lisa Heinzerling
Sent: 08/26/2009 03:04 PM EDT
To: Richard Windsor
Subject: Re: Federal Facilities on NPL
May I ask this question directly of OMB?

----- Original Message -----

From: Richard Windsor
Sent: 08/26/2009 10:26 AM EDT
To: Barry Breen; "Lisa Heinzerling" <heinzerling.lisa@epa.gov>; "Mathy Stanislaus"

<stanislaus.mathy@epa.gov>

Subject: Federal Facilities on NPL

I'm hearing OMB is refusing to list the federal facility sites in Regions 9 and 10. True?

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: CN=Allyn Brooks-LaSure/OU=DC/O=USEPA/C=US@EPA;CN=Arvin Ganesan/OU=DC/O=USEPA/C=US@EPA;CN=Diane Thompson/OU=DC/O=USEPA/C=US@EPA;CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US@EPA;CN=Seth Oster/OU=DC/O=USEPA/C=US@EPA[]; N=Arvin Ganesan/OU=DC/O=USEPA/C=US@EPA;CN=Diane Thompson/OU=DC/O=USEPA/C=US@EPA;CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US@EPA;CN=Seth Oster/OU=DC/O=USEPA/C=US@EPA[]; N=Diane Thompson/OU=DC/O=USEPA/C=US@EPA;CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US@EPA;CN=Seth Oster/OU=DC/O=USEPA/C=US@EPA[]; N=Lisa Heinzerling/OU=DC/O=USEPA/C=US@EPA;CN=Seth Oster/OU=DC/O=USEPA/C=US@EPA[]; N=Seth Oster/OU=DC/O=USEPA/C=US@EPA[]
From: CN=David McIntosh/OU=DC/O=USEPA/C=US
Sent: Fri 8/28/2009 7:15:12 PM
Subject: Re: Fw: Landrieu letter to Potus
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From: Richard Windsor/DC/USEPA/US
To: Lisa Heinzerling/DC/USEPA/US@EPA, Seth Oster/DC/USEPA/US@EPA, Allyn Brooks-LaSure/DC/USEPA/US@EPA, Diane Thompson/DC/USEPA/US@EPA, David McIntosh/DC/USEPA/US@EPA, Arvin Ganesan/DC/USEPA/US@EPA
Date: 08/28/2009 03:09 PM
Subject: Fw: Landrieu letter to Potus

I'm in Mary Landrieu's 7/31 letter to the Prez re New Orleans. Did we know this? We are discussing this.

----- Forwarded by Richard Windsor/DC/USEPA/US on 08/28/2009 03:08 PM -----

From: Diane Thompson/DC/USEPA/US
To: Richard Windsor/DC/USEPA/US@EPA
Date: 08/28/2009 11:21 AM
Subject: Fw: Landrieu letter to Potus

FYI

Diane E. Thompson

Chief of Staff

U. S. Environmental Protection Agency

202-564-6999

----- Forwarded by Diane Thompson/DC/USEPA/US on 08/28/2009 11:21 AM -----

From: "Woodka, Janet" <Janet.Woodka@dhs.gov>

To: "Wareing, Tracy" <Tracy.Wareing@dhs.gov>, "Leshner, Jan" <Jan.Leshner@dhs.gov>, "Tombar iii, Frederick" <Frederick.Tombariii@hud.gov>, <rima.cohen@hhs.gov>, <Matthew.Yale@ed.gov>, Diane Thompson/DC/USEPA/US@EPA

Cc: "Monje, Carlos A." Personal Privacy "Whelan, Moira" <Moira.Whehan@dhs.gov>

Date: 08/28/2009 09:59 AM

Subject: Landrieu letter to Potus

All –

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Janet

From: bounce.vamail168@virmail03-iron.politicalsystems.net [mailto:bounce.vamail168@virmail03-iron.politicalsystems.net] On Behalf Of Senator Mary Landrieu Press Office

Sent: Friday, August 28, 2009 9:33 AM

To: Janet.Woodka@DHS.GOV

Subject: Landrieu Reflects on 4th Anniversary of Hurricane Katrina

August 28, 2009 Unsubscribe Update My Profile

FOR IMMEDIATE RELEASE Contact: Aaron Saunders

(202) 224-0098

Landrieu Reflects on 4th Anniversary of Hurricane Katrina

Senator sends letter to President Obama outlining priorities, challenges ahead for Gulf Coast rebuilding.

The letter can be found by visiting:

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New Orleans, LA 70130
Voice: (504) 589-2427
Fax:(504) 589-4023

Baton Rouge

Room 326, Federal Building
707 Florida Street
Baton Rouge, LA 70801
Voice: (225) 389-0395
Fax:(225) 389-0660

Shreveport

U.S. Courthouse
300 Fannin Street
Room 2240
Shreveport, LA 71101
Voice: (318) 676-3085
Fax:(318) 676-3100

Lake Charles

Hibernia Tower
One Lakeshore Drive
Suite 1260
Lake Charles, LA 70629
Voice: (337) 436-6650
Fax:(337) 439-3762

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To: CN=David McIntosh/OU=DC/O=USEPA/C=US@EPA;CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]; N=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: CN=Allyn Brooks-LaSure/OU=DC/O=USEPA/C=US@EPA;CN=Diane Thompson/OU=DC/O=USEPA/C=US@EPA;CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US@EPA;CN=Seth Oster/OU=DC/O=USEPA/C=US@EPA[]; N=Diane Thompson/OU=DC/O=USEPA/C=US@EPA;CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US@EPA;CN=Seth Oster/OU=DC/O=USEPA/C=US@EPA[]; N=Lisa Heinzerling/OU=DC/O=USEPA/C=US@EPA;CN=Seth Oster/OU=DC/O=USEPA/C=US@EPA[]; N=Seth Oster/OU=DC/O=USEPA/C=US@EPA[]
From: CN=Arvin Ganesan/OU=DC/O=USEPA/C=US
Sent: Fri 8/28/2009 7:18:54 PM
Subject: Re: Fw: Landrieu letter to Potus
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I was not aware either.

Sent from my Blackberry Wireless Device

----- Original Message -----

From: David McIntosh

Sent: 08/28/2009 03:15 PM EDT

To: Richard Windsor

Cc: Allyn Brooks-LaSure; Arvin Ganesan; Diane Thompson; Lisa Heinzerling; Seth Oster

Subject: Re: Fw: Landrieu letter to Potus

I didn't know and hadn't heard of or seen her letter to the President.

From: Richard Windsor/DC/USEPA/US

To: Lisa Heinzerling/DC/USEPA/US@EPA, Seth Oster/DC/USEPA/US@EPA, Allyn Brooks-LaSure/DC/USEPA/US@EPA, Diane Thompson/DC/USEPA/US@EPA, David McIntosh/DC/USEPA/US@EPA, Arvin Ganesan/DC/USEPA/US@EPA

Date: 08/28/2009 03:09 PM

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To: Richard Windsor/DC/USEPA/US@EPA
Date: 08/28/2009 11:21 AM
Subject: Fw: Landrieu letter to Potus

FYI

Diane E. Thompson
Chief of Staff
U. S. Environmental Protection Agency
202-564-6999

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To: "Wareing, Tracy" <Tracy.Wareing@dhs.gov>, "Leshner, Jan" <Jan.Leshner@dhs.gov>, "Tombar iii, Frederick" <Frederick.Tombariii@hud.gov>, <rima.cohen@hhs.gov>, <Matthew.Yale@ed.gov>, Diane Thompson/DC/USEPA/US@EPA
Cc: "Monje, Carlos A." [Personal Privacy] Whelan, Moira" <Moira.Whehan@dhs.gov>
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Subject: Landrieu letter to Potus

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Sent: Friday, August 28, 2009 9:33 AM
To: Janet.Woodka@DHS.GOV
Subject: Landrieu Reflects on 4th Anniversary of Hurricane Katrina

August 28, 2009 Unsubscribe Update My Profile

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(202) 224-0098

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To: windsor.richard@epa.gov[]
From: CN=Seth Oster/OU=DC/O=USEPA/C=US
Sent: Fri 8/28/2009 8:09:35 PM
Subject: Fw: PSD Tailoring Rule

Fyi.

----- Original Message -----

From: "Freeman, Jody L." **Personal Privacy**
Sent: 08/28/2009 03:59 PM AST
To: Gina McCarthy
Cc: John Millett; Brian Mclean; Seth Oster; Michael Ling
Subject: RE: PSD Tailoring Rule

Deliberative

-----Original Message-----

From: McCarthy.Gina@epamail.epa.gov
[mailto:McCarthy.Gina@epamail.epa.gov]
Sent: Friday, August 28, 2009 3:55 PM
To: Freeman, Jody L.
Cc: Millett.John@epamail.epa.gov; Mclean.Brian@epamail.epa.gov;
Oster.Seth@epamail.epa.gov; Ling.Michael@epamail.epa.gov
Subject: PSD Tailoring Rule

When the Light Duty Vehicle Rule is implemented next May, PSD under the CAA will be triggered for new and modified sources - please note that PSD does not impact existing sources unless they intend a significant modification. To make the implementation of the PSD Rule manageable (and to avoid requiring extensive review and permitting for sources where such requirements are unwise and inappropriate), we have proposed a PSD Tailoring Rule. It is designed to pare down the number and types of facilities requiring regulation to include only those that have the potential to emit 25,000 tons per year or more of GHG (on a CO2-equivalent basis). These are the larger sources where such a tool would be manageable, appropriate and beneficial, and where, for the most part, PSD already applies for other traditional pollutants. We estimate that out of about 14,000 sources that would become major sources for GHGs under the proposed rule, only about 400 facilities (new and modified) per year would actually trigger PSD. In addition, existing facilities currently permitted as major sources for traditional air pollutants would have to address GHGs in their 5-year permit renewal.

To answer your immediate question, here is some information on what

types of sources would be regulated under the 25,000 tons per year threshold proposed in the PSD Tailoring Rule and what sources this rule would defer regulating:

Who's In:

With the proposed PSD Tailoring Rule , 14,000 major sources would be regulated for GHGs nationwide. These sources will generally be larger industrial sources and will overlap to a very large degree with sources that have been regulated for years under the PSD program for criteria pollutants. They include thousands of electric generating units and industrial boilers, and a few thousand other industrial sources spread across various categories such as cement plants, petroleum refineries, chemical plants, pulp and paper producers, iron and steel mills, glass plants, food processors, and similar categories. Because PSD covers sources by size rather than category, there are also hundreds of miscellaneous sources that are also covered in the manufacturing and mining sectors if these sources are large enough to emit 25,000 tons per year or more. Finally, there are some non-traditional sources that will have the potential to be regulated by PSD for GHG, such as several hundred very large landfills, fewer than 50 very large manure management operations, a few hundred commercial sources (consisting of the nation's very largest hotels, office buildings, warehouses, and similar sources), and a few hundred very large apartment buildings. Together these sources comprise about 68% of the U.S. stationary sources GHG emissions.

Who's Out:

With the proposed tailoring rule, PSD would not cover the more than a million sources that emit between 250 and 25,000 tons of GHG, which comprise about 7% of the emissions. This category includes small industrial sources that are not energy intensive, as well as numerous commercial and residential sources that have some GHG emissions, but do not reach the 25,000 ton per year threshold, including restaurants, retail stores, and all but the very largest hotels, office buildings, warehouses, etc. as well as smaller apartment buildings and even some large single family residences.

(For completeness, PSD would also not cover the millions more sources that emit below 100 tons of GHG, which comprise about 25% of the emissions, but these would not be covered even without the tailoring rule).

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]

From: CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US

Sent: Fri 8/28/2009 10:31:17 PM

Subject: Re: Landrieu letter to Potus

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It's my pleasure to talk.

I agree there's promise in the first two bullets. These seem to point right at EPA (as she points right at you in introducing them!). I'll investigate, quietly. Ok?

I want you to know I read your email (and am sending this one) FROM HOME.

Have a good weekend.

----- Original Message -----

From: Richard Windsor

Sent: 08/28/2009 03:45 PM EDT

To: Lisa Heinzerling

Subject: Fw: Landrieu letter to Potus

Thanks for letting me vent. It is hard for me to contextualize even now. It helps to talk to someone to make sure I am thinking straight on my hometown, I just re-read this letter and believe that the first 2 bullets might be fertile ground. Thoughts?

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From: Diane Thompson/DC/USEPA/US

To: Richard Windsor/DC/USEPA/US@EPA

Date: 08/28/2009 11:21 AM

Subject: Fw: Landrieu letter to Potus

FYI

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Chief of Staff

U. S. Environmental Protection Agency

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To: "Windsor, Richard" [Windsor.richard@epa.gov]; Fulton, Scott" [fulton.scott@epa.gov]; Thompson, Diane" [thompson.diane@epa.gov]; Sussman, Bob" [sussman.bob@epa.gov]; Heinzerling, Lisa" [Heinzerling.Lisa@epamail.epa.gov]; N=Arvin Ganesan/OU=DC/O=USEPA/C=US@EPA;CN=Sarah Pallone/OU=DC/O=USEPA/C=US@EPA;"Hooks, Craig" [hooks.craig@epa.gov]; N=Sarah Pallone/OU=DC/O=USEPA/C=US@EPA;"Hooks, Craig" [hooks.craig@epa.gov]; Hooks, Craig" [hooks.craig@epa.gov]
Cc: "Oster, Seth" [oster.seth@epa.gov]
From: CN=Allyn Brooks-LaSure/OU=DC/O=USEPA/C=US
Sent: Sat 8/29/2009 12:26:00 AM
Subject: Weekly Wrap - Friday, 8/28/09

Below are media inquiries fielded by OPA this week.

V/R,

MABL.

M. Allyn Brooks-LaSure
Office of the Administrator
U.S. Environmental Protection Agency
Cell: Personal Privacy

----- Original Message -----

From: Seconda Tyson
Sent: 08/28/2009 06:48 PM EDT
To: Allyn Brooks-LaSure; Adora Andy; Michael Thiem; Roxanne Smith
Subject: Weekly Wrap - Friday, 8/28/09

Administration and Resources Management

Government Executive Magazine: Foner with Sharon Ridings re: continuing ed at EPA. Closed.

Science mag: Sent photo release from Larry Reiter for article about science jobs in government. Closed.

Agriculture

Agritalk Radio: Awaiting Adora's office response on getting Larry Elworth for interview on ag issues. Open.

WSJ: Did "On background" informational phone interview Aug. 25 on enforcement aspect of animal feeding operation (CAFO) rules. Closed.

Air

AP (LA): Awaiting more info from reporter on PM 2.5 concentrations at monitoring stations throughout the country. Open.

AP: Told them EPA does not track selling of carbon offsets. Closed.

AP: Status of EPA approval of hydrocarbon freezers for use by Ben & Jerry's. Interview with Drusilla Hufford, freezers will be approved. Closed.

Argus Media: GHG reporting rule. Open.

Bloomberg News: Writing on the ethanol "blend wall" decision Administrator Jackson said will happen in November. I'm looking for info on the process of the decision and the studies/comments etc. that go into making it. Sent him to regulations.gov to see the docket, which he will read. Had follow up questions. Open.

BNA: Interview request with Gina McCarthy. Open.

BNA: Reporter never followed up on whether carbon dioxide will be subject to prevention of significant deterioration (PSD) regs. Closed.

BNA, Argus Media: Is EPA going to propose PSD rules in September along with the vehicle emissions rulemaking? It will be consistent with Lisa Jackson's statements that you want to concentrate on sources above 25,000 tons. Open.

Coal Report: Wild Earth Guardian, we missed a deadline on plant in Colorado. Open.

Congressional Quarterly, Reuters: Needed and explanation of two EPA announcements, Endangerment and the Auto regs. Sent them our press releases. Closed.

Consumers Digest: I am working a story on future automotive trends. Need to check on some details on the upcoming fuel economy standards. Specifically on how electric hybrids and all-electric cars are treated in computing the fleet averages. Sent statement on the volt and protocol for testing hybrids. Closed.

Cox Communications: Where are we in air monitoring around schools. Open.

Daily Item (Sunbury, Pa.): Sent info on EPA voc rules for auto body paint shops. Closed.

DC Bureau on line: Writing an article on the ocean going vessels rule. Did the interview. Closed.

Fox News: Told them we can't speculate on what will happen, if we make positive endangerment finding on carbon dioxide. Closed.

Freelancer: Book author with Resources for the Future on Waste Isolation Pilot Plant. Interview with WIPP program. No surprises. Closed.

Greenrightnow: What's next for cash for clunkers? Don't know, ask NHTSA. Gave media contacts there. Closed.

Greenwire: Sent EPA tree-planting climate change analysis referred to in USA Today story. Closed.

Greenwire: Will the GHG rule for light vehicles include trucks? The proposal includes light duty trucks, such as SUVs and small pick-up trucks. However, it doesn't include heavy-duty trucks. Closed.

Inside EPA: Did the General Conformity rule go to OMB? Yes. Sent the fact sheet. Closed.

Inside EPA: Induced travel demand impacts on transportation planning. Open.

Inside EPA: PSD aggregation for oil and gas operations. Can't comment on litigation. Closed.

Law 360: Did phone interview with OAR official on proposed ship air emission rule. Closed.

National Journal: RFS2. Sent links to information on the web. Closed.

News Talk 680 WPTF radio: Wants interview on 8/27 for North Carolina's Morning News, Raleigh, N.C. Scott Fitzgerald, the host of the show, would like to talk to someone about the recent crackdown on carbon fraud in Europe and what the EPA expects in regard to 'carbon crime' to happen in the U.S. How is carbon trading regulated and what measures are in place to combat fraud? Since its tax fraud, its not EPA, it's the IRS. Closed.

NYT: Sent desk statement on EPA nitrous oxide activities re: NOAA report on 8/27. Closed.

Reuters: Inquiry came in after hours on Friday night, Aug 22. Does EPA test motorcycles for fuel efficiency? No, just tailpipe emissions. Bikes are very fuel efficient. Closed.

San Francisco Chronicle: Refining lighter crude oil. Need more information. Open.

The Economist and Environmental Health Perspectives: Asking about CAMR and how the implementation of those rules might affect the quality of coal combustion residues produced at the various plants. Sent approved statement and a link to information on the website. Closed.

This Old House magazine: Follow up on VOC's in paint. Verifying methods EPA uses to determine low VOC paint. Closed.

Toronto Star: Electric Vehicles. Open.

Toronto Star: Sent info on driving cycle tests for mpg ratings. Closed.

Transport Topics: Do we want to comment on 2010 engine certification? Open.

USA Today: Told them it's more accurate to say "Portland Cement Plants" rather than "cement plants" in correction of article on mercury deposition into waters. Closed.

Wash. Times: Chamber of Commerce hearing on scientific validity of climate change--referred to Adora. Closed.

Washington Times: Question on electricity rate impact of Waxman-Markey bill. Closed.

WSJ: Sent info on how we'll conduct mpg ratings for electric vehicles. Closed.

Budget

BNA: TSCA budget under new Administration. Open.

Enforcement/Compliance

60 Minutes: Update on enforcement action against Executive Recycling, as an epilogue to a prior story. Closed.

BNA: Follow up questions from Cynthia Giles interview. Responses on number of criminal investigators sent. Closed.

BNA: OECA annual reports from 1988-1990. Sent link to online access. Closed.

Greenwire: Request for second interview on environmental justice for comprehensive piece on EJ history and how

EPA weighs and compares EJ issues. Reporter querying regional EJ offices in addition to HQ. Reporter given written response from Charles Lee, Administrator quote, links to Administrator's EJ speeches and info on new diversity position. Closed.

Hollywood, Health & Society: Background interview on how criminal investigation works for TV pilot on environmental crimes. Open.

NPR: Interview request Monday, 8/31 @ 1:30 p.m. with Adam Kushner on increased enforcement activity against coal-fired power plants. Open.

Pittsburgh Tribune Review: Update on Earth Ecycle illegal exporting case. Sent link to Environmental Appeals Board list of actions on Earth Ecycle. Closed.

Providence Journal: Interview request scheduled 9/11 @ 10 a.m with Rhode Island native, Cynthia Giles. Open.

SNL Power Daily: Asking about EPA's participation in the INTERPOL Pollution Crime Working Group. Julia Lastra, assistant director investigations at EPA is the project leader of the group. Andrew Lauterback, senior criminal enforcement counsel at EPA, chairs the INTERPOL Environment Crime Committee. Open.

Sunday Business Post (Dublin, Ireland): Will EPA fugitive O'Connor be extradited from Malta to the US? Closed.

Environmental Information

BBC Worldwide TV: Declined to help them plan survival team series dealing with environmental disaster scenarios. Closed.

Fair Play Magazine: Enviro ask EPA intervention in blocking ships to be sold for scrapping in Third World countries--referred to Region 3. Closed.

Government Executive Magazine: Questions about glitches in regulations.gov. Closed.

Hampshire Research: TRI data. Open.

Nextgov.com/Government Executive: Agencies affected by the glitch on regulations.gov. Open.

Powerful Media: Wants to list LPJ as one of most influential African Americans--referred to Betsaida. Closed.

Radio América (Washington Metro Area): 10-minute live interview 8/28 on Admin. Jackson's participation in "Read to the Top" finale. Canceled. Closed.

USA Today: No longer interested in our perspective on why rules for underground storage tanks at gas stations are important. Closed.

www.cleanskies.tv: Vague questions about TRI. Producer is revising questions. Producer did not follow up. Closed.

General Counsel

Law360: Comment on Hydro Resources Inc. v. EPA? Court of appeals rehearing case previously awarded to EPA regarding company building uranium mines on Indian property. The only issue is whether EPA is the permitting authority for underground injection control. Hearing in January. Closed.

Hazardous Wastes

AP: Electronic waste data. Open.

AP: EPA's budget for Superfund & Brownfields. Closed.

AP: Interviewed Thea McManus re: Electronic waste data. Closed.

BNA: Are the regions providing brownfields workshops? Closed.

BNA: Interview request 9/10/09 @ 11:15 a.m. re: Mathy Stanislaus. Open.

Environmental Health Perspectives: Coal ash residues. Closed.

Freelancer, Dee Gill: Stats on solid waste collections. Closed.

Inside EPA: Draft rule for coal combustion waste. Closed.

Inside EPA: Munitions cleanup. Closed.

Inside EPA: Requested Superfund conference remarks from J. Woolford & M. Stanislaus. Open.

Inside EPA: Underground storage tanks & higher grades of ethanol. Open.

Inside EPA: Wants info on Mathy Stanislaus letter to stakeholders. Closed.

Problemas Brasileiros: Consumers and pharmaceutical waste. Closed.

Sierra Magazine: Factchecking largest industrial wastestream. Closed.

Supermarket News: Proposal to add pharmaceutical wastes to the universal waste rule. Open.

United Nations Environment Program: Interviewed Debbie Dietrich, Kathy Jones & David Wright (Region 2) on 8/25 re: Emergency management & chemical safety. Closed.

WCPN 90.3 Public Radio: Environmental effects of solid waste. Closed.

Pesticides

Environmental Health News: Additional Q's re: p-dichlorobenzene. Open.

French freelancer: Colony collapse disorder and the pollinator protection team. Sent A's to Q's. Closed.

Greenrightnow.com: Use of pesticides in schools and how much integrated pest management is being practiced. Foner with Sherry Glick. Closed.

Kankaee Journal (Ill.): Answered Q's re: tick-and-flea products. Closed.

Nature mag: Sent A's to Q's re: methyl iodide. Closed.

NYT: Silver dihydrogen sulfate as disinfectant. Sent label info. Closed.

Pest & Tox Chem News: Atrazine monitoring. Closed.

Pest & Tox Chem News: Controversy regarding BASF's headline fungicide label? Sent link to EPA's response. Closed.

Pest & Tox Chem News: Fomesafen draft ecological risk assessment. Sent A's to Q's. Closed.

Pest & Tox Chem News: Q's re: possible hearing about cancellation of carbofuran. Sent A's to Q's. Closed.

Pest & Tox Chem News: Response to letter from NGOs expressing concern over EPA's fumigant rules? Sent response. Closed.

Pesticide and Toxic Chemical News: Prototype permits. Open.

Risk Policy Report: Does the interagency "ONE Committee" on chemicals still exist? Not currently active. Closed.

Vegetable Growers News Magazine: Changes in fumigant rule. Foner projected for next week. Open.

Washington City Paper: Swimming pool disinfectants. Open.

WOIO (Cleveland): Incident data on Sergeants spot-on tick-and-flea products. Data run expected next week. Open.

Recovery Act

Dow Jones: Buy American applications and waivers. Open.

Inside EPA: Water ARRA. Open.

Recycling

New Scientist Magazine: U.S. recycling rates. Closed.

Resource Recycling Magazine: Interviewed Thea McManus re: Recycling issues and state disaster plans. Closed.

Research and Development

60 Minutes: Ongoing interest in phthalates. Open.

BNA: IRIS assessments of inorganic arsenic. Open.

BNA: Requests transcript of Lek Kadeli's (LPJ's?) luncheon comments. Closed.

BNA: Wants to confirm data in a draft ETEB assessment. Closed.

Daily Environmental Report: New EDSP test orders requires staggered batches. Open.

Environmental Science & Technology: Comments on how retracted epigenetics paper might affect future studies. Open.

Living on Earth (PRI): Radio request to interview Steve Jones regarding endocrine disruptors. Open.

National Journal: Overview of IRIS. Skip to schedule video interview with Peter Preuss ASAP. Open.

Parents magazine: Interview with Dan Stout re: pesticide residue on kitchen floors scheduled for Wed., Sept. 2 @ 11 a.m. Open.

Solid Waste and Emergency Response

Bloomberg News Service: Updated figures for hydrogen fluoride use in the refining industry? The 1993 study is the latest we have. Closed.

Toxics

Albuquerque Journal: Sent lead news release. Closed.

Chemical Watch: Sent A's to Q's re: new SNURs for carbon nanotubes. Closed.

Cleveland Plain Dealer: Home cleaning products and insecticides/pesticides for the garden. Open.

Daily Environment Report: Tier 1 EDSP test orders. Sent explanation. Closed.

Daily Environment Report: Possible foner next week with Steve Owens about his priorities. Open.

Inside EPA: Reevaluation of TSCA clause on PCB distribution in commerce? We don't have anything more specific than what is in the reg. agenda. Closed.

Inside EPA's Superfund Report: "Opt-out and Recordkeeping Provisions" in the Lead Renovation, Repair and Painting rule. Closed.

Minneapolis Star Tribune: Many questions about PFOA. Open.

Risk Policy Report: Where to find the submission of the renewed ICR to OMB for TSCA section 8(e)? Closed.

Security News Service: What is the EPA standard for chromium levels in whole blood? Referred to ATSDR. Closed.

Yale: Environment: Regulation and testing of endocrine disruptors through the Endocrine Disruptor Screening Program. Sent him links to the website. Closed?

Voluntary Programs

Dow Jones Newswire: Did on-background phone interview with OAR official on solar energy credits for homeowners. Closed.

Freelancer, Jon Bloom: Sent info on livestock methane. Closed.

Highlights in Chemical Science: Sent indoor air quote on certain chemicals. Closed.

Independent Alligator: Green Chill. Open.

Platt's Energy Publications: Sent Green Power info. Closed.

ProSales: Energy Star homes photos. Open.

Reuters (Chicago): Interviewed Maria Vargas on Energy Star buildings. Closed.

Smartmoney.com: Interviewed Maria Vargas August 26 re: rebates for energy efficient products and when to replace appliances. Closed.

Wall Street Journal: Interviewed Virginia Lee of WaterSense and Sam Rashkin of Energy Star August 27 on new homes for each program. Closed.

Water

1H2O.org: Health of harbors in U.S. Open.

60 Minutes: Background request August 25 on sewer overflows. Open.

Allegheny Front (Pittsburgh): Interview request August 26 on airport deicing proposal. Sked for Sept. 2 with Mary Smith. Open.

AP (Wyo.): Is EPA testing anywhere else besides Pavillion, Wyo. for groundwater contamination potentially associated with oil and gas operations? No. Closed.

AP: More on airport deicing. Closed.

Better Homes and Garden: Water shortage and WaterSense. Closed.

BNA: Atrazine. Sent statement. Closed.

BNA, Highlands Today (Fla.): Consent decree on proposing numeric water quality standards for waters in Fla. Sent statement. Closed.

BNA: IRIS evaluation of arsenic. Closed.

BNA: Mary Smith backgrounded reporter on our cooling intake proposal. Closed.

CBS Radio (N.Y.), Chicago Public Radio, Nebraska Public Radio, NPR (St. Louis), Simplesteps.org (NRDC Web site), Washington Post: Atrazine. Sent statement. Closed.

Charleston Gazette: Sent current list of 84 mountaintop mining permit being considered. Closed.

ClimateWire: Will decline interview on carbon capture storage. Will send Brendan-approved statement. Closed.

Environmental Compliance Alert: Airport deicing. Closed.

Floridaenvironments.com: Industry's challenge to EPA's determination that nutrient criteria is needed in Fla. Open.

Freelancer: Wasting water and fast-food restaurants. Ref'd to Alliance for Water Efficiency. Closed.

Globo (Brazilian TV network:) Sent responses on wastewater recycling and reuse. Closed.

Globo (Brazilian TV network): Sent responses on wastewater treatment. Closed.

Greenwire: IG report on water quality nutrient standards. Closed.

Huffington Post: Blog offer August 25 on atrazine. Open.

Inside EPA: Draft blending policy. Open.

Inside EPA: Mercury guidance and water quality standards. Open.

Inside EPA: Organizations at meeting with Pete Silva and maritime officials on 8/24. Closed.

Inside EPA: Sent comments from states and external groups on draft utility guidance. Closed.

Inside EPA: Will EPA require W. Va. to revise its fish tissue standard for methylmercury? No decision made yet. Closed.

Natural Foods Merchandiser: Atrazine. Sent statement. Closed.

NH Union Leader: EPA regulations involving car washes. Closed.

Pesticide and Toxic Chemical News: Sent response on aquatic pesticide prototype permit. Closed.

Platts, The Times-Picayune, Washington Times: Carbon dioxide sequestration. Closed.

ProPublica: Is EPA testing anywhere else besides Pavillion, Wyo. for groundwater contamination potentially associated with oil and gas operations? No. Also sent LPJ testimony on hydraulic fracturing. Closed.

Simplesteps.org (NRDC Web site): When will thorough review of atrazine and other chemicals take place under the new Admin.? Open.

SNL Energy: CWA violation and community pools. Closed.

Today's Facility Manager: Airport deicing proposal. Closed.

Wall Street Journal: More on mountaintop mining: number of mountains that have been mountain mined? Ref'd to Office of Surface Mining. Sent study on downstream effects of mountaintop mining. Closed.

Washington City Paper: Sent responses on swimming pool disinfectants. Closed.

Washington Times: More carbon dioxide sequestration. Closed.

To: CN=David McIntosh/OU=DC/O=USEPA/C=US@EPA;CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]; N=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: CN=Arvin Ganesan/OU=DC/O=USEPA/C=US@EPA;CN=Diane Thompson/OU=DC/O=USEPA/C=US@EPA;CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US@EPA;CN=Seth Oster/OU=DC/O=USEPA/C=US@EPA[]; N=Diane Thompson/OU=DC/O=USEPA/C=US@EPA;CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US@EPA;CN=Seth Oster/OU=DC/O=USEPA/C=US@EPA[]; N=Lisa Heinzerling/OU=DC/O=USEPA/C=US@EPA;CN=Seth Oster/OU=DC/O=USEPA/C=US@EPA[]; N=Seth Oster/OU=DC/O=USEPA/C=US@EPA[]
From: CN=Allyn Brooks-LaSure/OU=DC/O=USEPA/C=US
Sent: Sat 8/29/2009 12:40:32 AM
Subject: Re: Fw: Landrieu letter to Potus
[Unsubscribe](#)
[Update My Profile](#)
[U.S. Senator Mary Landrieu, Louisiana](#)
http://landrieu.senate.gov/media/POTUS_Letter.pdf
http://landrieu.senate.gov/media/POTUS_Letter.pdf
[Replies to this email are sent to an unmonitored inbox. Click here to Contact Senator Landrieu](#)
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[Privacy Policy](#)
[\(embedded image\)](#)
[\(embedded image\)](#)

Neither had OPA and their former Comm Dir (who has since left) was good at giving a heads up on these types of thing.

MABL.

M. Allyn Brooks-LaSure
Office of the Administrator
U.S. Environmental Protection Agency
Cell: Personal Privacy

----- Original Message -----

From: David McIntosh
Sent: 08/28/2009 03:15 PM EDT
To: Richard Windsor
Cc: Allyn Brooks-LaSure; Arvin Ganesan; Diane Thompson; Lisa Heinzerling; Seth Oster
Subject: Re: Fw: Landrieu letter to Potus

I didn't know and hadn't heard of or seen her letter to the President.

From: Richard Windsor/DC/USEPA/US
To: Lisa Heinzerling/DC/USEPA/US@EPA, Seth Oster/DC/USEPA/US@EPA, Allyn Brooks-LaSure/DC/USEPA/US@EPA, Diane Thompson/DC/USEPA/US@EPA, David McIntosh/DC/USEPA/US@EPA, Arvin Ganesan/DC/USEPA/US@EPA
Date: 08/28/2009 03:09 PM
Subject: Fw: Landrieu letter to Potus

I'm in Mary Landrieu's 7/31 letter to the Prez re New Orleans. Did we know this? We are discussing this.

----- Forwarded by Richard Windsor/DC/USEPA/US on 08/28/2009 03:08 PM -----

From: Diane Thompson/DC/USEPA/US
To: Richard Windsor/DC/USEPA/US@EPA
Date: 08/28/2009 11:21 AM
Subject: Fw: Landrieu letter to Potus

FYI

Diane E. Thompson
Chief of Staff
U. S. Environmental Protection Agency
202-564-6999

----- Forwarded by Diane Thompson/DC/USEPA/US on 08/28/2009 11:21 AM -----

From: "Woodka, Janet" <Janet.Woodka@dhs.gov>
To: "Wareing, Tracy" <Tracy.Wareing@dhs.gov>, "Leshner, Jan" <Jan.Leshner@dhs.gov>, "Tombar iii, Frederick" <Frederick.Tombariii@hud.gov>, <rima.cohen@hhs.gov>, <Matthew.Yale@ed.gov>, Diane Thompson/DC/USEPA/US@EPA
Cc: "Monje, Carlos A." <[REDACTED]@dhs.gov>, "Whelan, Moira" <Moira.Whelan@dhs.gov>
Date: 08/28/2009 09:59 AM
Subject: Landrieu letter to Potus

All –

Just wanted to let you know that Senator Landrieu is releasing her letter to the President (note attached). So, there will be a formal response – and I'm sure this will be a group effort!

Janet

From: bounce.vamail168@virmail03-iron.politicalsystems.net [mailto:bounce.vamail168@virmail03-iron.politicalsystems.net] On Behalf Of Senator Mary Landrieu Press Office
Sent: Friday, August 28, 2009 9:33 AM
To: Janet.Woodka@DHS.GOV
Subject: Landrieu Reflects on 4th Anniversary of Hurricane Katrina

August 28, 2009 Unsubscribe Update My Profile

FOR IMMEDIATE RELEASE Contact: Aaron Saunders
(202) 224-0098

Landrieu Reflects on 4th Anniversary of Hurricane Katrina
Senator sends letter to President Obama outlining priorities, challenges ahead for Gulf Coast rebuilding.

The letter can be found by visiting:

http://landrieu.senate.gov/media/POTUS_Letter.pdf

WASHINGTON – United States Senator Mary L. Landrieu, D-La., today reflected on the fourth anniversary of Hurricane Katrina. The August 29th storm and the failure of the levee system that followed marked the worst disaster in United States history.

Sen. Landrieu said:

“On this fourth anniversary of Hurricane Katrina, the eyes of the world will turn again to Louisiana and the Gulf Coast region. In the coming days, we all will reflect on the progress and the many challenges that remain since Katrina and the levee breaks devastated our communities, wrecked our businesses and shattered our families.

“Through this tragedy, we continue to look for opportunities. Our citizens have returned to their communities with their sleeves rolled up and ready to work. They have brought with them an unprecedented wave of entrepreneurs who have planted the seeds to make South Louisiana a hotbed of innovation and advancement. Together, we are rebuilding our region to make it better and stronger than we were before Katrina -- family by family, home by home, neighborhood by neighborhood.

“Thanks to this unparalleled citizen effort, our region has progressed from the recovery to the rebuilding phase. President Obama has selected some outstanding leaders, including Homeland Security Secretary Janet Napolitano and HUD Secretary Shaun Donovan, to assist our rebuilding effort. These officials have stepped up early and forcefully to push our revitalization forward.

“With the determination of the people and a federal government redoubling its efforts, I am hopeful that the completion of the Gulf Coast’s rebuilding is in sight.”

Sen. Landrieu recently sent a letter to President Obama asking for his leadership in helping complete the remaining Gulf Coast recovery work. The letter outlined the Senator’s recovery and rebuilding priorities in four critical areas – flood protection and coastal restoration, housing, education and health care.

A copy of the full letter is available by visiting: http://landrieu.senate.gov/media/POTUS_Letter.pdf

-30-

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Landrieu

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To: windsor.richard@epa.gov[]
Cc: thompson.diane@epa.gov; ganesan.arvin@epa.gov[]; anesan.arvin@epa.gov[]
From: CN=David McIntosh/OU=DC/O=USEPA/C=US
Sent: Sat 8/29/2009 2:21:26 PM
Subject: Senator Voinovich's hold on Bob Perciasepe

I think the current plan might be for you to speak on the phone with Senator Voinovich, rather than sending him another letter. That sounds to me like a good idea.

Deliberative

Deliberative

To: Ganesan.Arvin@epamail.epa.gov;Oster.Seth@epamail.epa.gov;"Lisa P. Jackson" [Windsor.Richard@epamail.epa.gov]; ster.Seth@epamail.epa.gov;"Lisa P. Jackson" [Windsor.Richard@epamail.epa.gov]; Lisa P. Jackson" [Windsor.Richard@epamail.epa.gov]; Diane Thompson" [Thompson.Diane@epamail.epa.gov]
From: CN=Bob Sussman/OU=DC/O=USEPA/C=US
Sent: Sat 8/29/2009 2:58:54 PM
Subject: Fw: For 1pm Call.....Revised Paper - Follow-up from LPJ briefing
Mining ECP Recommendation.doc
Mining ECP Recommendationv2.doc

Lisa. Here is a draft staff paper following up on the MTM briefing. I've provided some comments and more changes will be made but it provides a strong start on our messaging. Could you see whether you're comfortable with the approach? I think we will need to brief CEQ, the Corps and probably Congress before we pull the trigger and a few more days would definitely help to get ready. It would be nice not to

Deliberative

----- Original Message -----

From: Ann Campbell

Sent: 08/28/2009 02:24 PM EDT

To: Suzanne Schwartz; Gregory Peck; Steven Neugeboren; Bob Sussman; Peter Silva; Mike Shapiro; Kevin Minoli; Karyn Wendelowski; David Evans

Subject: Fw: For 1pm Call.....Revised Paper - Follow-up from LPJ briefing

Thanks all for the call today. Glad to see that the discussion paper provided was on point. Nevertheless, attached below is a revised version calling attention to a few key points as discussed on the call.

As Suzanne suggested, please provide any comments you may have no later than noon Monday. Thank you. Ann

From: David Evans/DC/USEPA/US

To: Suzanne Schwartz/DC/USEPA/US@EPA, Gregory Peck/DC/USEPA/US@EPA, Steven Neugeboren/DC/USEPA/US@EPA

Cc: Bob Sussman/DC/USEPA/US@EPA, Peter Silva/DC/USEPA/US@EPA, Mike

Shapiro/DC/USEPA/US@EPA, Kevin Minoli/DC/USEPA/US@EPA, Karyn Wendelowski/DC/USEPA/US@EPA

Date: 08/28/2009 12:55 PM

Subject: For 1pm Call.....Revised Paper - Follow-up from LPJ briefing

Suzanne/Greg/Steve, with copies to others who may participate in 1pm Mining call with RAs,

Here is the paper we just discussed with you, Suzanne, with we have shared with Regions, and expect they will have shared with their RAs for discussion during the 1pm Mining call.

It is the result of post-briefing meeting among WD staff yesterday afternoon/evening, which was followed by conference call with Regions early this morning.

Look forward to discussions in a few minutes.

Dave

David Evans, Director
Wetlands Division
Office of Wetlands, Oceans and Watersheds
(202) 566-0535

----- Forwarded by David Evans/DC/USEPA/US on 08/28/2009 12:50 PM -----

From: Ann Campbell/DC/USEPA/US
To: Brian Frazer/DC/USEPA/US, Brian Topping/DC/USEPA/US@EPA, Christopher Hunter/DC/USEPA/US, David Evans/DC/USEPA/US, Jeffrey Lapp/R3/USEPA/US@EPA, Jim Giattina/R4/USEPA/US@EPA, John Forren/R3/USEPA/US@EPA, John Pomponio/R3/USEPA/US@EPA, Kevin Pierard/R5/USEPA/US@EPA, landers.timothy@epa.gov, Samantha Beers/R3/USEPA/US@EPA, Stefania Shamet/R3/USEPA/US@EPA, Tinka Hyde/R5/USEPA/US@EPA, Tom Welborn/R4/USEPA/US@EPA, Philip Mancusi-Ungaro/R4/USEPA/US@EPA, Jennifer Derby/R4/USEPA/US@EPA
Date: 08/28/2009 11:07 AM
Subject: Revised Paper - Follow-up from LPJ briefing

Folks - based on our conversation this morning, here are the revisions i made to the paper. note I did not alter the recommendation but i did add a section regarding the effect of the recommendation which refers to our discussion today. please let me know if you have drop dead issues with the recommendation. wording and messaging should continue to be tweaked but we must have a clear unified recommendation.

Thanks.

For folks on blackberry or other portable devices:

Deliberative

Effect of Recommendation: EPA continues to evaluate and work with the Corps Districts to achieve environmental improvements.

The findings of the Regional review do not mean that these permits may not be authorized. The recommendation provides EPA and the Corps the additional time to work together to achieve improvements in environmental protection. Our experience in these last many months has shown that significant improvements are possible through collaboration. In some instances the Regions and Districts have already begun discussions on the proposals to identify the stage of evaluation an individual proposal is in. Based on these discussions with the Corps Districts, the Regions have come to understand that many proposals simply may not be at the stage of evaluation where they are ready for authorization. However, based on these discussions, the Regions also believe that resolution may be achieved, for a few, quickly and thereby potentially reducing the final number of permits on the list on September 22.

USEPA

Office of Wetlands, Oceans and Watersheds

1200 Pennsylvania Avenue

Room 7318C (MC4502T)

Washington, DC 20460

202-566-1370

Personal Privacy (Mobile)

202-566-1349 (Fax)

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Diane Thompson/OU=DC/O=USEPA/C=US
Sent: Mon 8/31/2009 9:06:56 PM
Subject: Fw: Gulf Coast Rebuilding Weekly Update

this AP piece

8/23

8/24

Listen to the POTUS interview here.

FEMA Administrator Craig Fugate

President's weekly radio address

FYI

Diane E. Thompson

Chief of Staff

U. S. Environmental Protection Agency

202-564-6999

----- Forwarded by Diane Thompson/DC/USEPA/US on 08/31/2009 05:06 PM -----

From: "Whelan, Moira" <Moira.WheLAN@dhs.gov>

To: "Leshner, Jan" <Jan.Leshner@dhs.gov>, "Wareing, Tracy" <Tracy.Wareing@dhs.gov>, "Kayyem, Juliette" <Juliette.Kayyem@dhs.gov>, "Tennynson, Stephanie L" <Stephanie.Tennynson@dhs.gov>, "Smith, Sean" <Sean.Smith@dhs.gov>, "Kuban, Sara A" <Sara.Kuban@dhs.gov>, "McNamara, Jason" <Jason.Mcnamara@dhs.gov>, "Fugate, Craig" <Craig.Fugate@dhs.gov>,

Personal Privacy

Personal Privacy

"Stevens, Clark"

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Date: 08/31/2009 12:10 PM
Subject: Gulf Coast Rebuilding Weekly Update

Office of the Federal Coordinator for Gulf Coast Rebuilding
Weekly Update 8/31/2009

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Do not distribute outside of the federal government.

GCR will not produce a weekly update this Friday. Therefore, the next update will be distributed on Friday, September 11.

Coverage of the Obama Administration efforts in the Gulf Coast were for the most part very positive, including this AP piece in which even Governor Bobby Jindal praises the Administration. The New Orleans Times-Picayune ran two articles (Sunday, 8/23 and Monday, 8/24) on Administration rebuilding efforts featuring interviews with President Obama and Vice President Biden. Listen to the POTUS interview here. Also, a great NOTP interview with FEMA Administrator Craig Fugate. The President's weekly radio address also addressed Katrina issues this week. There was a Times Picayune article focused on the Administration's new interagency working group to coordinate and promote ecosystem restoration of the Gulf Coast. While still in development, the group is intended to enable Federal agencies, working with State and local governments and other regional stakeholders, to come together and develop a strategy to increase both the economic and environmental resiliency of the region and will serve as a pilot for addressing the effects of climate change in other coastal regions. The formation of this task force is being warmly received in Louisiana.

LSU and Tulane reached an agreement for the governance structure for the future academic medical center planned to replace the current Charity Hospital in New Orleans. The governing memorandum calls for the hospital to be owned by LSU and operated by a private, non-profit corporation that would be run by an 11-member board of directors. Four board members would be appointed by LSU, while Tulane and Xavier University each would have one appointment. Another seat would rotate between Dillard University and Delgado Community College. Four board seats would be considered independent and filled by people who have no affiliation with any participating school or competing hospitals.

Deputy Secretary of Education Tony Miller participated in a tour and lunch with kindergarteners at the Samuel J. Green Charter School. The school features an edible schoolyard that allows the students to learn to work in the garden and learn about healthy eating choices. The school also works with parents and the community, teaching healthy cooking classes and allowing neighbors to harvest from the garden. Following the Green school tour, the Deputy Secretary and the Federal Coordinator traveled to the Langston Hughes Charter Academy, the first new school (and, in fact, public building) to be constructed in New Orleans since Hurricane Katrina. Langston Hughes is also the State of Louisiana's first LEED-certified school with a silver rating.

Director of National Drug Control Policy Gil Kerlikowske spent the day in New Orleans on Tuesday. He visited the Covenant House, a youth residential facility and community health center, to talk about the Administration's initiatives on substance abuse and mental health and gave a brief press conference. He also attended a roundtable on criminal justice and drug policy issues with U.S. Attorney Jim Letten, NOPD Chief Riley, Orleans Parish DA Leon Cannizzaro, several judges, and others. The roundtable was covered briefly by three local television stations. HUD Secretary Shaun Donovan traveled to Louisiana and Mississippi to participate in various activities that focused on the community and economic revitalization of the region. Secretary Donovan spoke at breakfast roundtable of non-profit organizations sponsored by the Louisiana Disaster Recovery Foundation on Thursday. Secretary Donovan was then joined by Sen. Mary Landrieu to break ground on the Lafitte public housing development. He was accompanied on the trip by his entire leadership team including Deputy Secretary Ron Sims, Assistant Secretary/FHA Commissioner David Stevens (Housing), Assistant Secretary Mercedes Marquez (Community Planning and Development), Assistant Secretary Sandra Henriquez (Public and Indian Housing), Assistant Secretary Raphael Bostic (Policy Development and Research), and Chief Counsel Helen Kanovsky.

On Wednesday, Federal Coordinator Janet Woodka, Rebuilding Together New Orleans ED Kristin Palmer, and Director of the Southern Region of AmeriCorps NCCC Gary Turner held a media availability outside of Rebuilding Together's new community center to kick off the 4 days of volunteer events for the 4th Anniversary of Hurricane Katrina. The Federal Coordinator opened with remarks and thanks to the volunteers from DHS, FEMA, HUD, USAID, and their families. On Thursday, the build took place at Habitat for Humanity's Musicians Village where more than 40 volunteers from DHS, many of them local TSA members from the Louis Armstrong International Airport, pitched in. During lunch some of the musicians came to play for the volunteers and show their appreciation for the volunteer efforts. On Friday, the volunteers took the night shift in St. Bernard Project's 24 hour build with more than 40 federal employee volunteers from the White House, DHS, HUD, USAID. A team of 50 volunteers from the White House, DHS, HUD, USAID and others capped off the effort at the Louisiana Disaster Recovery Foundation's "My Heart, My Home" Rebuild-A-Thon. The event included a moment of silence at 9:10am—the moment the levees broke—a volunteer build led by Gen. Russell Honore, and a celebration featuring the best of New Orleans' food and music. Special thanks to all those who participated. This really meant a lot to the groups we work with and made a big impact on the lives of those who were helped, and sent a great message to the people of New Orleans.

On Friday, the Senate Republican Conference hosted a health care event at the Tulane University School of Medicine in New Orleans. Sens. Coburn and Barrasso attended along with the doctors in the Louisiana delegation (Boustany, Fleming, Cassidy). Other Republican members of the Louisiana delegation attended as well. Early in the week, Federal Coordinator Janet Woodka participated in a roundtable discussion convened by Congressman Gene Taylor (D-MS) where she met and spoke with mayors and local elected officials from throughout the Mississippi Gulf Coast. Much of the discussion was focused on CDL regulations and insurance issues.

The US Army Corps of Engineers (Corps) hosted a Mitigation Workshop on August 31, 2009, at the New Orleans District Office. The purpose of the meeting was to have interested stakeholders present potential wetland mitigation alternatives associated with the unavoidable construction impacts related to hurricane protection projects in New Orleans.

Brigadier General Michael Walsh, Commander of the U.S. Army Corps of Engineers Mississippi Valley Division, met with Governor Jindal on August 27 in Baton Rouge to discuss hurricane protection.

Chief of the U.S. Army Corps of Engineers, Lt. Gen. Robert Van Antwerp was in New Orleans for meetings with the leadership of the New Orleans District on August 26 and 27. General Van Antwerp attended a reception at the Port of New Orleans during his visit.

GCR staff toured the construction of the Inner Harbor Navigation Canal with the Corps to see the construction of the storm surge barrier. The \$1.7 billion structure consists of a one-mile long surge barrier and gates to allow for navigation at on the Gulf Intracoastal Waterway (GIWW), the Mississippi River Gulf Outlet (MRGO) and the Seabrook Canal. The Corps expects the barrier wall to be complete in October. The remainder of the project is scheduled for completion by June 1, 2011.

On Saturday, St. Bernard Parish commemorated the anniversary of Hurricane Katrina with a wreath ceremony and a moment of silence at 9:10am.

Comings and Goings

President Obama announced his intention to visit the Gulf Coast “by the end of the year” in the August 23 Times-Picayune story. Vice President Biden indicated he would travel to New Orleans after the President.

Deputy Secretary of Homeland Security Jane Holl Lute will travel to Mississippi on Tuesday, September 1 for meetings with Congressman Bennie Thompson and local leaders on preparedness and H1N1.

Senator Mary Landrieu may hold a field hearing on recovery in Galveston, TX in early September.

The first class of AmeriCorps National Civilian Community Corps members to serve at the Vicksburg, MS, campus will be inducted into service on September 1 at the new center. The event will be attended by Corporation CEO Nicola Goren, Congressional staff, and other dignitaries

Tulane and LSU will be hosting a health care site visit for Louisiana delegation health care staffers on September 3. The NATO Parliamentary Assembly plans to visit New York City and New Orleans on an emergency preparedness and disaster response trip October 3-5. FEMA Office of International Affairs is supporting the trip.

Forthcoming

GCR will be meeting with representatives from the GAO on September 3 to discuss pending reports on Gulf Coast rebuilding to be issued in the fall.

The House Appropriations Surveys and Investigations report on the Corps is due September 2009.

The fourth anniversary of Hurricane Rita making landfall is September 24.

Neighborhood Funders Group will host their annual conference October 13-15 in New Orleans at the Loews Hotel.

The conference explores how philanthropy can support and expand vibrant civic engagement through partnerships between government, philanthropy and communities. Secretary of Labor Hilda Solis has been invited to speak.

The World War II Museum in New Orleans will celebrate the opening of a new wing, November 6-8 as part of a \$300 million expansion project, paid for through federal funds.

The National Fusion Center Conference will be held in New Orleans in March, 2010.

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Eric Wachter/OU=DC/O=USEPA/C=US
Sent: Mon 8/31/2009 10:18:49 PM
Subject: Fw: Greetings from Steve Wassersug (former EPA Region III) in Montana
Hotspot

FYI last I heard this trip was off.

----- Forwarded by Eric Wachter/DC/USEPA/US on 08/31/2009 06:18 PM -----

Date 08/31/2009 04:45 PM
From "Wassersug, Steve" <swassersug@getf.org>
To LisaP Jackson/DC/USEPA/US@EPA
cc
Subject Greetings from Steve Wassersug (former EPA Region III) in Montana

Lisa,

first of all congratulations on your outstanding appointment and the great job you are doing. Tom Voltaggio and his wife Joan visited me last week in Montana for about 9 days and we chatted about the "old times" in the Regions and DC. You may remember that Tom replaced me in the region after I was assigned for 5 years to Budapest, and we met shortly after my return.

In any case, I understand that you will be coming to the ECOS meeting in September. I live in Whitefish MT 6 months/year for the past 5 years about 300 yards up the hill from the Lodge where the ECOS meeting will be held. It will be great to see friends and colleagues. My wife and I are planning to have a get-together the Sunday evening before the meeting 9/20 for some of the State, ECOS, and EPA gang at our home and we would like to invite you. A couple of the Acting Regional RA's are planning to attend along with many other folks. Of course, any family or friends/colleagues that will be with you are cordially invited. We plan to begin around 630pm but people will probably come throughout the evening as they arrive on Sunday.

Should you need any assistance with regard to planning any travel/trips or sightseeing in this area, I would be pleased to provide you with information and suggestions regarding this fantastic environmental community and Glacier area. I look forward to seeing you and please let us know if you can join us.

Steve and Faith Wassersug cell: Personal Privacy home/office 406-862-6494

OEX Processing Information
Processed Date:
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PO Office Category:

Message Count

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=David McIntosh/OU=DC/O=USEPA/C=US
Sent: Mon 8/31/2009 10:51:21 PM
Subject: Fw: some clips from last week's CO energy/climate event

[Link](#)
[Link](#)
[Link](#)
[Link](#)
[Link](#)

FYI, please see below. I'll print these out and include them in the binder that I hand you for the plane.

----- Forwarded by David McIntosh/DC/USEPA/US on 08/31/2009 06:50 PM -----

From: David McIntosh/DC/USEPA/US
To: Katharine Gage/DC/USEPA/US@EPA, Brendan Gilfillan/DC/USEPA/US@EPA, Eric Wachter/DC/USEPA/US@EPA, Aaron Dickerson/DC/USEPA/US@EPA
Date: 08/31/2009 06:50 PM
Subject: Fw: some clips from last week's CO energy/climate event

Here are the clips from last week's version of the event that the Administrator will do tomorrow. I'll print these out and get them to her.

----- Forwarded by David McIntosh/DC/USEPA/US on 08/31/2009 06:49 PM -----

From: "Maher, Jessica A." **Personal Privacy**
To: "Belive, Lauren" <Lauren_Belive@who.eop.gov>, "Aldy, Joseph E." **Personal Privacy**, Brian Kennedy" <Kennedy.Brian@Dol.gov>, <Christopher_Mansour@ios.doi.gov>, "Cobb Mixer" <Cobb.mixer@do.treas.gov>, "Courtney Gregoire" <CGregoire@doc.gov>, <Dan.Utech@hq.doe.gov>, "Dana Gresham" <Dana.Gresham@dot.gov>, <david.kim@dot.gov>, <David.Vandivier@do.treas.gov>, <Donny.R.Williams@hud.gov>, <Grant.Leslie@osec.usda.gov>, "Heimbach, James T." **Personal Privacy**, <HobgoodTD@state.gov>, "Hurlbut, Brandon K." **Personal Privacy**, "Jonathan.Levy@hq.doe.gov" <'Jonathan.Levy@hq.doe.gov'>, "Krysta Harden" <Krysta.Harden@osec.usda.gov>, <MacDonald.Laura@dol.gov>, David McIntosh/DC/USEPA/US@EPA, <OgdenPR@state.gov>, <PedersonED@state.gov>, <Peter.Kovar@hud.gov>, "Richard Verma" <vermarr@state.gov>, <Sarah_Bittleman@ios.doi.gov>, "Sepulveda, Daniel A." **Personal Privacy**, "Stacey Rolland" <Stacey.Rolland@do.treas.gov>, <Uzzell.Megan@dol.gov>, "Zichal, Heather R." **Personal Privacy**
Date: 08/31/2009 04:14 PM
Subject: some clips from last week's CO energy/climate event

Here are the clips I have from last week's event in CO at the Regional Governors Forum (Christopher/Sarah – am guessing you all have more):

Thanks.

Jess

Denver Post, Denver Examiner (Lynn Bartels)

"Salazar vows pragmatic slant on climate":)FORT COLLINS — Interior Secretary Ken Salazar stressed Thursday that any legislation dealing with climate change must consider the impact on water and agriculture.

Link

KCNC CBS 4, KDVR FOX 31, Denver Examiner, KUSA NBC 9 (AP)

“Salazar Defends President’s Energy Politics”: FORT COLLINS, Colo. (AP) — Interior Secretary Ken Salazar has joined Gov. Bill Ritter and Democratic congresswoman Betsy Markey at a forum to promote President Barack Obama's clean-energy policies.

Link

Coloradoan (Bobby Magill)

“Salazar: Let’s take renewable energy lead”: The United States can fall behind the rest of the world in addressing renewable energy and climate change, or it can take the lead, Interior Secretary Ken Salazar told a large group of students and area residents at Fossil Ridge High School on Thursday

Link

Northern Colorado 5 CBS (Staff Written)

“Interior Secretary Salazar Pushes Clean Energy”: It was invitation only as Interior Secretary Ken Salazar made a trip home to Colorado along with the Governor and Congresswoman Betsy Markey to discuss President Obama's clean energy policies.

Link

Loveland Reporter-Herald (Jon Pilsner)

“Salazar, lawmakers and environmental officials bring energy to public discussion”: FORT COLLINS — In the first of four national forums on the “New Energy Economy,” Interior Secretary Ken Salazar, Gov. Bill Ritter and Rep. Betsy Markey, along with others, held an open forum to give residents an opportunity to chime in on that new, proposed economy.

Link

KUNC Radio (Kirk Siegler)

“Salazar, Ritter Tout Federal Climate Bill”: FORT COLLINS, CO (KUNC) - Interior Secretary Ken Salazar and key Colorado democrats are defending a controversial clean energy bill pending in Congress that aims to curb greenhouse gas emissions. Those calls came at a White House forum on the so-called clean energy economy in Fort Collins Thursday.

Link

Jess Maher

CEQ Legislative Affairs

From: Belive, Lauren

Sent: Monday, August 31, 2009 11:39 AM

To: Aldy, Joseph E.; Belive, Lauren; Brian Kennedy; Christopher_Mansour@ios.doi.gov; Cobb Mixer; Courtney Gregoire; Dan.Utech@hq.doe.gov; Dana Gresham; david.kim@dot.gov; David.Vandivier@do.treas.gov; Donny.R.Williams@hud.gov; Grant.Leslie@osec.usda.gov; Heimbach, James T.; HobgoodTD@state.gov; Hurlbut, Brandon K.; 'Jonathan.Levy@hq.doe.gov'; Krysta Harden; MacDonald.Laura@dol.gov; Maher, Jessica A.; McIntosh.David@epamail.epa.gov; OgdenPR@state.gov; PedersonED@state.gov; Peter.Kovar@hud.gov; Richard Verma; Sarah_Bittleman@ios.doi.gov; Sepulveda, Daniel A.; Stacey Rolland; Uzzell.Megan@dol.gov; Zichal, Heather R.

Subject: 4PM Call Today

Hope everyone had a great weekend.

Just a reminder, we will host our legislative energy call this afternoon at 4:00pm. The Dial in number is: Personal Privacy

Personal Privacy Code: Personal Privacy

Looking forward to talking with you.

Lauren

Lauren E. Belive | The White House | Office of Legislative Affairs

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA;CN=Diane Thompson/OU=DC/O=USEPA/C=US@EPA;CN=Gina McCarthy/OU=DC/O=USEPA/C=US@EPA;CN=David McIntosh/OU=DC/O=USEPA/C=US@EPA[]; N=Diane Thompson/OU=DC/O=USEPA/C=US@EPA;CN=Gina McCarthy/OU=DC/O=USEPA/C=US@EPA;CN=David McIntosh/OU=DC/O=USEPA/C=US@EPA[]; N=Gina McCarthy/OU=DC/O=USEPA/C=US@EPA;CN=David McIntosh/OU=DC/O=USEPA/C=US@EPA[]; N=David McIntosh/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Seth Oster/OU=DC/O=USEPA/C=US
Sent: Mon 8/31/2009 11:24:47 PM
Subject: Jody Freeman

Jody Freeman just called me, after having tried to reach Gina.

She said, in short, that they are bracing for press calls and widespread attention to be paid to the posting of the proposed Phase-in Rule on the OMB Web site tomorrow. While they are initially willing to go with our recommended, "We will comment on this when the proposed rule is formally made," they are, however, determined to be more proactive in their messaging if/when the issue takes hold -- and, as she put it, the EPA starts to look bad.

She said that they are going to work with WH Communications tomorrow on this (unfortunately, before I have the chance to reach out to WH Communications to frame these issues for them and begin to advocate for our strategy of announcing through an op-ed, followed by a signing event, followed two weeks later by a more in-depth speech by the Administrator at the Schwarzenegger climate summit).

I assured her that, as Gina and I discussed with her late last week, we have this as the highest priority -- that we are working overtime right now on locking down our recommended messaging and strategy, as well as some other things that I'll discuss when we are all offline together.

I think Gina should call Jody as soon as possible.

Seth

Seth Oster
Associate Administrator
Office of Public Affairs
Environmental Protection Agency
(202) 564-1918
oster.seth@epa.gov

To: CN=Seth Oster/OU=DC/O=USEPA/C=US@EPA;CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA;CN=Diane Thompson/OU=DC/O=USEPA/C=US@EPA;CN=Gina McCarthy/OU=DC/O=USEPA/C=US@EPA[]; N=Richard Windsor/OU=DC/O=USEPA/C=US@EPA;CN=Diane Thompson/OU=DC/O=USEPA/C=US@EPA;CN=Gina McCarthy/OU=DC/O=USEPA/C=US@EPA[]; N=Diane Thompson/OU=DC/O=USEPA/C=US@EPA;CN=Gina McCarthy/OU=DC/O=USEPA/C=US@EPA[]; N=Gina McCarthy/OU=DC/O=USEPA/C=US@EPA[]
From: CN=David McIntosh/OU=DC/O=USEPA/C=US
Sent: Mon 8/31/2009 11:28:58 PM
Subject: Re: Jody Freeman

The fact that WH Comms is engaged (if Jody is accurate about that) is good news.

Deliberative

Deliberative

----- Original Message -----

From: Seth Oster

Sent: 08/31/2009 07:24 PM EDT

To: Richard Windsor; Diane Thompson; Gina McCarthy; David McIntosh

Subject: Jody Freeman

Jody Freeman just called me, after having tried to reach Gina.

She said, in short, that they are bracing for press calls and widespread attention to be paid to the posting of the proposed Phase-in Rule on the OMB Web site tomorrow. While they are initially willing to go with our recommended, "We will comment on this when the proposed rule is formally made," they are, however, determined to be more proactive in their messaging if/when the issue takes hold -- and, as she put it, the EPA starts to look bad.

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I assured her that, as Gina and I discussed with her late last week, we have this as the highest priority -- that we are working overtime right now on locking down our recommended messaging and strategy, as well as some other things that I'll discuss when we are all offline together.

I think Gina should call Jody as soon as possible.

Seth

Seth Oster

Associate Administrator

Office of Public Affairs

Environmental Protection Agency

(202) 564-1918

oster.seth@epa.gov

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Arvin Ganesan/OU=DC/O=USEPA/C=US
Sent: Mon 8/31/2009 11:48:01 PM
Subject: materials for tomorrow's briefing
Barton-Carlin-083109-cover letter&QsandA ARG DRAFT.doc
Sensenbrenner-Carlin-083109QsandA ARG DRAFT.doc

I'm attaching updated materials for tomorrow's meeting on the Barton/Sensenbrenner docs. I'll send a followup message shortly.

ARVIN R. GANESAN
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(f) 202.501.1519

To:

windsor.richard@epa.gov;oster.seth@epa.gov;mccarthy.gina@epa.gov;heinzerling.lisa@epa.gov;thompson.lisa@epa.gov;"Allyn Brooks-LaSure" [Brooks-LaSure.Alyn@epamail.epa.gov];
ster.seth@epa.gov;mccarthy.gina@epa.gov;heinzerling.lisa@epa.gov;thompson.lisa@epa.gov;"Allyn Brooks-LaSure" [Brooks-LaSure.Alyn@epamail.epa.gov];
ccarthy.gina@epa.gov;heinzerling.lisa@epa.gov;thompson.lisa@epa.gov;"Allyn Brooks-LaSure" [Brooks-LaSure.Alyn@epamail.epa.gov]; einzerling.lisa@epa.gov;thompson.lisa@epa.gov;"Allyn Brooks-LaSure" [Brooks-LaSure.Alyn@epamail.epa.gov]; hompson.lisa@epa.gov;"Allyn Brooks-LaSure" [Brooks-LaSure.Alyn@epamail.epa.gov]; Allyn Brooks-LaSure" [Brooks-LaSure.Alyn@epamail.epa.gov]

From: CN=David McIntosh/OU=DC/O=USEPA/C=US

Sent: Tue 9/1/2009 12:28:49 AM

Subject: something we might see/experience

Today Senators Boxer and Kerry announced that they will delay until the end of September the release of their climate bill (they had planned to release it next Tuesday). Members of the chattering class are already whispering that the announcement signals that climate legislation is dead for the year -- that the Senate Democrats tested the political winds during the recess and decided not to give it a go. There is actually no truth to that. But the same members of the chattering class might interpret the transmittal of the draft proposed taillpipe and tailoring rules to OMB as confirming their theory and also revealing further detail, namely, that the President has given up on legislation and has fully thrown in his lot with regulation. There is no truth to that either. But I think we might notice reporters stretching for that narrative in their welcome-back-from-recess stories.

To:

windsor.richard@epa.gov;oster.seth@epa.gov;mccarthy.gina@epa.gov;heinzerling.lisa@epa.gov;thompson.diane@epa.gov;"Allyn Brooks-LaSure" [Brooks-LaSure.Alyn@epamail.epa.gov];
ster.seth@epa.gov;mccarthy.gina@epa.gov;heinzerling.lisa@epa.gov;thompson.diane@epa.gov;"Allyn Brooks-LaSure" [Brooks-LaSure.Alyn@epamail.epa.gov];
ccarthy.gina@epa.gov;heinzerling.lisa@epa.gov;thompson.diane@epa.gov;"Allyn Brooks-LaSure" [Brooks-LaSure.Alyn@epamail.epa.gov];
einzerling.lisa@epa.gov;thompson.diane@epa.gov;"Allyn Brooks-LaSure" [Brooks-LaSure.Alyn@epamail.epa.gov]; hompson.diane@epa.gov;"Allyn Brooks-LaSure" [Brooks-LaSure.Alyn@epamail.epa.gov]; Allyn Brooks-LaSure" [Brooks-LaSure.Alyn@epamail.epa.gov]
From: CN=David McIntosh/OU=DC/O=USEPA/C=US
Sent: Tue 9/1/2009 12:34:37 AM
Subject: Re: something we might see/experience

Resending with Diane's correct address. Fortunately, there is no Lisa Thompson at EPA.

----- Original Message -----

From: David McIntosh

Sent: 08/31/2009 08:28 PM EDT

To: windsor.richard@epa.gov; oster.seth@epa.gov; mccarthy.gina@epa.gov; heinzerling.lisa@epa.gov; thompson.lisa@epa.gov; Allyn Brooks-LaSure

Subject: something we might see/experience

Today Senators Boxer and Kerry announced that they will delay until the end of September the release of their climate bill (they had planned to release it next Tuesday). Members of the chattering class are already whispering that the announcement signals that climate legislation is dead for the year -- that the Senate Democrats tested the political winds during the recess and decided not to give it a go. There is actually no truth to that. But the same members of the chattering class might interpret the transmittal of the draft proposed taillpipe and tailoring rules to OMB as confirming their theory and also revealing further detail, namely, that the President has given up on legislation and has fully thrown in his lot with regulation. There is no truth to that either. But I think we might notice reporters stretching for that narrative in their welcome-back-from-recess stories.

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: CN=David McIntosh/OU=DC/O=USEPA/C=US@EPA[]
From: CN=Arvin Ganesan/OU=DC/O=USEPA/C=US
Sent: Tue 9/1/2009 7:50:30 PM
Subject: Fw: Letter for Administrator Lisa Jackson
Letter to Administrator Jackson August 31, 20090001.pdf

I just got an email from Senator Voinovich's staff, that included the letter below.

Deliberative

Deliberative

Administrator Lisa Jackson
USEP A Ariel Rios Building
1200 Pennsylvania Avenue N.W.
Washington, DC 20004

Dear Administrator Jackson,

I was disappointed by your August 6, 2009, response to the request that Senator Inhofe and I made for a comprehensive economic and environmental impact analysis of the American Clean Energy and Security (ACES) Act of 2009. This is the second time the Environmental Protection Agency (EPA) has denied the Senate information related to EPA's modeling of ACES. Without this information, the Senate and our constituents will not have a complete picture of ACES including its effect on the nation's energy infrastructure, consumers, small businesses, jobs, and the economy.

In your letter, you wrote that the Energy Information Administration's (EIA) recent economic analysis of ACES addresses all of the issues raised in our request, thereby making EPA's additional analysis unnecessary. Unfortunately, this is not the case. While I found EIA's analysis of ACES to be informative, EIA's modeling is lacking in a number of respects. For example, EIA's model only provides information through the year 2030, while EPA's model extends out to 2050. Because the effects of the legislation will compound over time, data for the 2030 to 2050 years are critical to having a complete understanding of how the bill will impact the economy. EPA can also provide us with information related to the impact ACES might have on global CO2 concentrations, including information on what might happen if other countries do not participate in emissions reductions schemes or conform to equitable, and consistent international commitments. EIA does not evaluate this type of data in its model, leaving EPA as the only government source that can provide information on whether the bill will have any impact on climate change.

We are interested in getting EPA's complete analysis before the debate over climate change legislation occurs in the Senate. Considering the sheer magnitude of this legislation, which will touch every part of the American economy, Senators should have thorough analyses from both EPA and EIA to facilitate a full, open, and transparent debate on cap-and-trade. Moreover, ACES has been placed on the Senate calendar, and major portions of the bill will likely be part of Senate climate change legislation. And, as the House vote on the bill attests, ACES is the House position on cap-and-trade legislation. If the need arises for a conference committee, Senators must have a complete understanding of the House position and its effect on jobs and the economy.

In its initial analysis, EPA concluded that ACES will cost Americans a mere "postage stamp a day" - an assertion that rests on assumptions that are widely recognized to defy political, practical, and technological realities. Such assertions call into question EPA's ability to produce analysis that is objective and reliable. You seemed to hint as much in your response letter, in which you referred us to EIA's analysis, because, as you wrote, "EIA operates independently of any political appointees and is recognized widely as an independent, rigorous economic modeling resource."

While I understand that passing an economy-wide, cap-and-trade program for greenhouse gasses is a major priority for the Obama Administration, that priority should not compromise EPA's ability to provide the U.S. Senate with a straightforward, comprehensive analysis of ACES. As the Senate considers this legislation or some variant of it, policymakers need analysis that covers the full range of effects from the bill-which includes using real-world assumptions about energy demand, energy supply, energy efficiency, and other issues critical to the bill's implementation and costs to economy. I understand that some speculation will occur and difficult assumptions will be made in predicting the impact of the bill, but every effort should be made to make it as objective as possible.

The seriousness of this issue demands a comprehensive, transparent analysis of the policy proposal now before us. I look forward to talking with you about this matter in the near future.

George Voinovich
United States Senator

ARVIN R. GANESAN
Deputy Associate Administrator
Congressional Affairs
Office of the Administrator
United States Environmental Protection Agency
Ganesan.Arvin@epa.gov
(p) 202.564.5200
(f) 202.501.1519

----- Forwarded by Arvin Ganesan/DC/USEPA/US on 09/01/2009 03:44 PM -----

From: "Johnston, Todd (Voinovich)" <Todd_Johnston@voinovich.senate.gov>
To: Arvin Ganesan/DC/USEPA/US@EPA
Date: 09/01/2009 03:21 PM
Subject: Letter for Administrator Lisa Jackson

Arvin

Attached is a letter for Administrator Jackson concerning EPA's modeling.

Bet your missing Aug recess.

Todd

To: CN=Marygrace Galston/OU=DC/O=USEPA/C=US@EPA[]
Cc: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
From: CN=Diane Thompson/OU=DC/O=USEPA/C=US
Sent: Tue 9/1/2009 9:01:27 PM
Subject: Re: Regional Administrators Ethics Review

Deliberative

Diane E. Thompson
Chief of Staff
U. S. Environmental Protection Agency
202-564-6999

From: Marygrace Galston/DC/USEPA/US
To: Diane Thompson/DC/USEPA/US@EPA
Date: 09/01/2009 03:36 PM
Subject: Re: Regional Administrators Ethics Review

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The company disputes this characterization of its past and tries to downplay the significance of recent policy changes. Spokesperson Ralph Poore says that "Boise has a longstanding record of accomplishment

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Boise might have been the worst of the U.S. timber companies, but it's far from the only threat to forest ecosystems. On September 3, RAN sent letters to the 12 forest products companies it has labeled the "Dirty Dozen," challenging them to follow Boise's lead.

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Not only did Boise initially reject RAN's demands, it launched a sophisticated counter-campaign to weaken or destroy the group.

The company and its allies in the so-called "Wise Use" movement tarred RAN with the "terrorist" brush, smearing the activist group on Capitol Hill and in the media.

Boise also went after RAN's financial base, writing letters to all of RAN's major funders, urging them to cut off support.

Far-right, anti-ecology kindred spirits followed suit. Wise use organizations such as Ron Arnold's Center for Defense of Free Enterprise and Frontiers of Freedom, a group run by former Wyoming Senator Malcolm Wallop, petitioned the Internal Revenue Service to withdraw RAN's non-profit status. The IRS eventually declined to revoke the group's non-profit tax status.

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["From Worst to First: Under Pressure, Boise Cascade Agrees to Stop Logging Old-Growth Forests" Multinational Monitor, Nov. 2003]

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"WASHINGTON, D.C. -- The U.S. Justice Department and the Environmental Protection Agency today announced a comprehensive Clean Air Act (CAA) agreement with wood products industry giant Boise Cascade Corporation that will require reductions of up to 95 percent of the harmful emissions from the company's eight plywood and particle board plants. The plants are located in Oregon, Washington, Louisiana and Idaho.

The United States claims that Boise Cascade has modified and expanded its panel board operations over the past two decades without installing the proper air pollution control equipment to reduce harmful emissions as required by the Prevention of Significant Deterioration (PSD) regulations under the new source review provisions of the federal CAA and state rules. PSD regulations apply in areas where air quality is good and are intended to keep the air in compliance with national air quality standards.

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[United States Environmental Protection Agency, 13 March 2002]

From: Diane Thompson/DC/USEPA/US
To: Marygrace Galston/DC/USEPA/US@EPA
Date: 09/01/2009 01:31 PM
Subject: Re: Regional Administrators Ethics Review

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Deliberative

Deliberative

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Diane Thompson/OU=DC/O=USEPA/C=US
Sent: Tue 9/1/2009 9:09:11 PM
Subject: Re: Regional Administrators Ethics Review

83-90; right out of law school.

Diane E. Thompson
Chief of Staff
U. S. Environmental Protection Agency
202-564-6999

From: Richard Windsor/DC/USEPA/US
To: Diane Thompson/DC/USEPA/US@EPA
Date: 09/01/2009 05:06 PM
Subject: Re: Regional Administrators Ethics Review

What years was he there?

----- Original Message -----

From: Diane Thompson
Sent: 09/01/2009 05:01 PM EDT
To: Marygrace Galston
Cc: Richard Windsor
Subject: Re: Regional Administrators Ethics Review

Deliberative

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To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Arvin Ganesan/OU=DC/O=USEPA/C=US
Sent: Tue 9/1/2009 10:16:17 PM
Subject: follow up from our meeting on oversight
Barton-Carlin-083109-cover letter v2.doc
Carlin Messaging.doc

Administrator,

Our meeting this morning on the Barton/Sensenbrenner was actually very helpful and I think also flagged some issues that warrant some discussion once this particular oversight activity is over. I'll send a separate note in a second, but I've attached an updated cover letter and also pasted it here. I also have a messaging document that OPA developed on this attached.

Arvin

The Honorable Joe Barton
Ranking Member
Committee on Energy and Commerce
U.S. House of Representatives
Washington, DC 20515

Dear Congressman Barton:

Thank you for your letter of July 16, 2009 requesting additional information and documents related to the U.S. Environmental Protection Agency's (EPA or Agency) proposed endangerment finding and technical support document (TSD).

Your letter asks a number of questions and requests supporting documents related to the timeline used for developing the draft TSD as well as the role that the National Center for Environmental Economics (NCEE) and its staff played in reviewing the proposed endangerment finding and the draft TSD. Many of your questions also focus on the comments of Dr. Alan Carlin, a member of NCEE. I appreciate your interest in this important issue and I agree with you that science and the law should be the forces that guide our work.

Dr. Carlin's views on climate science are included in the public docket of the Agency's proposed endangerment and cause or contribute findings for greenhouse gases on July 8th, 2009. I believe that high quality science should inform the ultimate decision on this proposal. EPA will fully consider Dr. Carlin's views, should the Agency finalize the proposal. As you know, EPA staff from across the Agency have been working for a number of years on evaluating the science that led to the proposed endangerment finding, which EPA published in the Federal Register in April 2009. EPA is working expeditiously to review the nearly 400,000 comments it received during the 60-day public comment period and two public meetings it held. Please be assured that EPA decision makers are open to a diversity of viewpoints from inside and outside the Agency. We are committed to use the best available science to evaluate these comments and finalize an endangerment finding.

Attached, please find detailed answers to your questions, as well as responsive documents. EPA has carefully reviewed each of the documents responsive to your request and understands the time sensitivity of your request. At this time, we are not releasing a number of documents that would ordinarily remain internal to EPA in these circumstances, due to their inclusion of detailed information

regarding employee conduct and performance that cause privacy concerns. We are also not releasing a number of documents due to the ongoing deliberative process with respect to the proposed endangerment and cause or contribute findings. We are willing to re-visit and re-evaluate this body of documents upon completion of the deliberative process.

. Thank you again for your letter. If you have further questions, please contact me, or your staff may contact Arvin Ganesan in EPA's Office of Congressional and Intergovernmental Affairs at 202-564-4741.

Sincerely,

Lisa P. Jackson

Enclosures

ARVIN R. GANESAN
Deputy Associate Administrator
Congressional Affairs
Office of the Administrator
United States Environmental Protection Agency
Ganesan.Arvin@epa.gov
(p) 202.564.5200
(f) 202.501.1519

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
From: CN=Diane Thompson/OU=DC/O=USEPA/C=US
Sent: Wed 9/2/2009 12:55:33 AM
Subject: Re: Regional Administrators Ethics Review

Deliberative

----- Original Message -----

From: Richard Windsor
Sent: 09/01/2009 05:20 PM EDT
To: Diane Thompson
Subject: Re: Regional Administrators Ethics Review

Deliberative

----- Original Message -----

From: Diane Thompson
Sent: 09/01/2009 05:09 PM EDT
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A consent decree filed today requires Boise Cascade to install state-of-the-art air pollution control equipment at an estimated cost of \$15 million over the next three years at its Medford and Elgin, Ore., operations, and the Florien and Oakdale plants in Louisiana. In addition, the company must select one of three pollution control options to reduce volatile organic compound emissions (VOCs) from its particle board facility in Island City, Ore. The company will also pay \$4.35 million in civil penalties and has agreed to spend another \$2.9 million in supplemental controls to reduce emissions at the Yakima and Kettle Falls, Wash., plants, and to control certain units at the Medford, Ore., plywood facility. The state of Louisiana joined in the settlement and will receive a \$250,000 share in the penalties." [United States Environmental Protection Agency, 13 March 2002]

From: Diane Thompson/DC/USEPA/US
To: Marygrace Galston/DC/USEPA/US@EPA

Date: 09/01/2009 01:31 PM
Subject: Re: Regional Administrators Ethics Review

I think we are fine. Go ahead do same for 6 and 7. Has the flag been resolved on 7?

----- Original Message -----

From: Marygrace Galston

Sent: 09/01/2009 01:07 PM EDT

To: Diane Thompson

Subject: Regional Administrators Ethics Review

Diane- see below from Justina. Based on the discussion that you and I had, I sent along regions 2,3,8 and 9. Do you want me to do regions 6 and 7 just in case?

Here are my notes on the potential ethics issues related to these people. Please keep in mind that this review does not entail any potential financial conflicts of interest (because we don't have their financial disclosure reports), nor any review of potential impartiality issues (because we haven't talked to the individuals, so have no knowledge of their personal relationships, etc.). What I am providing is my best guess based on the resumes alone.

Justina

Deliberative

Deliberative

To: windsor.richard@epa.gov[]
Cc: ganesan.arvin@epa.gov[]
From: CN=David McIntosh/OU=DC/O=USEPA/C=US
Sent: Wed 9/2/2009 2:57:49 AM
Subject: Re: Fw: Letter for Administrator Lisa Jackson
Letter to Administrator Jackson August 31, 20090001.pdf

Deliberative

From: Arvin Ganesan/DC/USEPA/US
To: Richard Windsor/DC/USEPA/US@EPA
Cc: David McIntosh/DC/USEPA/US@EPA
Date: 09/01/2009 03:50 PM
Subject: Fw: Letter for Administrator Lisa Jackson

I just got an email from Senator Voinovich's staff, that included the letter below.

Deliberative

Deliberative

Administrator Lisa Jackson
USEP A Ariel Rios Building
1200 Pennsylvania Avenue N.W.
Washington, DC 20004

Dear Administrator Jackson,

I was disappointed by your August 6, 2009, response to the request that Senator Inhofe and I made for a comprehensive economic and environmental impact analysis of the American Clean Energy and Security (ACES) Act of 2009. This is the second time the Environmental Protection Agency (EPA) has denied the Senate information related to EPA's modeling of ACES. Without

this information, the Senate and our constituents will not have a complete picture of ACES including its effect on the nation's energy infrastructure, consumers, small businesses, jobs, and the economy.

In your letter, you wrote that the Energy Information Administration's (EIA) recent economic analysis of ACES addresses all of the issues raised in our request, thereby making EPA's additional analysis unnecessary. Unfortunately, this is not the case. While I found EIA's analysis of ACES to be informative, EIA's modeling is lacking in a number of respects. For example, EIA's model only provides information through the year 2030, while EPA's model extends out to 2050. Because the effects of the legislation will compound over time, data for the 2030 to 2050 years are critical to having a complete understanding of how the bill will impact the economy. EPA can also provide us with information related to the impact ACES might have on global CO2 concentrations, including information on what might happen if other countries do not participate in emissions reductions schemes or conform to equitable, and consistent international commitments. EIA does not evaluate this type of data in its model, leaving EPA as the only government source that can provide information on whether the bill will have any impact on climate change.

We are interested in getting EPA's complete analysis before the debate over climate change legislation occurs in the Senate. Considering the sheer magnitude of this legislation, which will touch every part of the American economy, Senators should have thorough analyses from both EPA and EIA to facilitate a full, open, and transparent debate on cap-and-trade. Moreover, ACES has been placed on the Senate calendar, and major portions of the bill will likely be part of Senate climate change legislation. And, as the House vote on the bill attests, ACES is the House position on cap-and-trade legislation. If the need arises for a conference committee, Senators must have a complete understanding of the House position and its effect on jobs and the economy.

In its initial analysis, EPA concluded that ACES will cost Americans a mere "postage stamp a day" - an assertion that rests on assumptions that are widely recognized to defy political, practical, and technological realities. Such assertions call into question EPA's ability to produce analysis that is objective and reliable. You seemed to hint as much in your response letter, in which you referred us to EIA's analysis, because, as you wrote, "EIA operates independently of any political appointees and is recognized widely as an independent, rigorous economic modeling resource."

While I understand that passing an economy-wide, cap-and-trade program for greenhouse gasses is a major priority for the Obama Administration, that priority should not compromise EPA's ability to provide the U.S. Senate with a straightforward, comprehensive analysis of ACES. As the Senate considers this legislation or some variant of it, policymakers need analysis that covers the full range of effects from the bill-which includes using real-world assumptions about energy demand, energy supply, energy efficiency, and other issues critical to the bill's implementation and costs to economy. I understand that some speculation will occur and difficult assumptions will be made in predicting the impact of the bill, but every effort should be made to make it as objective as possible.

The seriousness of this issue demands a comprehensive, transparent analysis of the policy proposal now before us. I look forward to talking with you about this matter in the near future.

George Voinovich
United States Senator

ARVIN R. GANESAN
Deputy Associate Administrator

Congressional Affairs
Office of the Administrator
United States Environmental Protection Agency
Ganesan.Arvin@epa.gov
(p) 202.564.5200
(f) 202.501.1519

----- Forwarded by Arvin Ganesan/DC/USEPA/US on 09/01/2009 03:44 PM -----

From: "Johnston, Todd (Voinovich)" <Todd_Johnston@voinovich.senate.gov>
To: Arvin Ganesan/DC/USEPA/US@EPA
Date: 09/01/2009 03:21 PM
Subject: Letter for Administrator Lisa Jackson

Arvin

Attached is a letter for Administrator Jackson concerning EPA's modeling.

Bet your missing Aug recess.

Todd

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Diane Thompson/OU=DC/O=USEPA/C=US
Sent: Wed 9/2/2009 11:44:41 AM
Subject: Re: Regional Administrators Ethics Review

will do

Diane E. Thompson
Chief of Staff
U. S. Environmental Protection Agency
202-564-6999

From: Richard Windsor/DC/USEPA/US
To: Diane Thompson/DC/USEPA/US@EPA
Date: 09/02/2009 07:11 AM
Subject: Re: Regional Administrators Ethics Review

Deliberative

----- Original Message -----

From: Diane Thompson
Sent: 09/01/2009 08:55 PM EDT
To: Richard Windsor
Subject: Re: Regional Administrators Ethics Review

Deliberative

----- Original Message -----

From: Richard Windsor
Sent: 09/01/2009 05:20 PM EDT
To: Diane Thompson
Subject: Re: Regional Administrators Ethics Review

Deliberative

----- Original Message -----

From: Diane Thompson
Sent: 09/01/2009 05:09 PM EDT
To: Richard Windsor
Subject: Re: Regional Administrators Ethics Review
83-90; right out of law school.

Diane E. Thompson
Chief of Staff
U. S. Environmental Protection Agency
202-564-6999

From: Richard Windsor/DC/USEPA/US
To: Diane Thompson/DC/USEPA/US@EPA
Date: 09/01/2009 05:06 PM
Subject: Re: Regional Administrators Ethics Review

What years was he there?

----- Original Message -----

From: Diane Thompson
Sent: 09/01/2009 05:01 PM EDT
To: Marygrace Galston
Cc: Richard Windsor
Subject: Re: Regional Administrators Ethics Review

Deliberative

Diane E. Thompson
Chief of Staff
U. S. Environmental Protection Agency
202-564-6999

From: Marygrace Galston/DC/USEPA/US
To: Diane Thompson/DC/USEPA/US@EPA
Date: 09/01/2009 03:36 PM
Subject: Re: Regional Administrators Ethics Review

I have pasted for you below the flag from the WH (i dont know why my font is in red...i apologize for that!) Take a look and see what you think.

*mg

ASSOCIATIONS AND AFFILIATIONS: Flags

BOISE CASCADE CORPORATION:

Deliberative

Deliberative

which is among the largest forest products companies in the world. As such, it has been the subject of ridicule by Environmental groups over time:

"The paper in the printer at your office or school might once have been part of a rare 500-year-old tree. So might the door into your house, or its shingles, or the boards that make up its bones.

It doesn't have to be that way -- and a just-concluded activist campaign took a step toward a world where it isn't that way. A new environmental policy announced by the Boise Cascade Corporation, the result of a three-year effort by Rainforest Action Network (RAN) and its allies, offers significant safeguards for forests previously threatened by the company.

This September, the timber giant announced that it would no longer log old growth forests in the United States and would take steps to ensure its suppliers protect endangered trees as well. The announcement makes Boise the first major timber company to commit to a complete phase-out of old-growth logging as well as the first to extend such a policy to the suppliers from which it buys wood.

Boise owns or manages 2.4 million acres of land, no small hunk of forest, but this win matters for other reasons as well. Old growth trees are essential to biodiversity, and most remaining ancient trees in America are on federal or state-owned land. When the RAN campaign began, Boise was the largest logger of public lands in the United States, and thus the gravest threat to these trees.

"They were the worst of the worst," says Jennifer Krill, old growth campaign director for RAN.

The Boise Reversal

The company disputes this characterization of its past and tries to downplay the significance of recent policy changes. Spokesperson Ralph Poore says that "Boise has a longstanding record of accomplishment in environmental stewardship," and that "this new environmental statement represents the latest incremental improvement in our environmental stewardship."

The Dirty Dozen

Boise might have been the worst of the U.S. timber companies, but it's far from the only threat to forest ecosystems. On September 3, RAN sent letters to the 12 forests products companies it has labeled the "Dirty Dozen," challenging them to follow Boise's lead.

Boise's Counter-Campaign

RAN's optimism has been hard-won.

By 2000, RAN felt that it had received enough commitments from the domestic wood products industry (over 400 companies pledged to go "old growth free") to turn its attention to wholesale operators. A series of meetings with Boise proved fruitless, though, and the group and its allies launched a full-scale public campaign demanding the company disavow old-growth logging.

Not only did Boise initially reject RAN's demands, it launched a sophisticated counter-campaign to weaken or destroy the group.

The company and its allies in the so-called "Wise Use" movement tarred RAN with the "terrorist" brush, smearing the activist group on Capitol Hill and in the media.

Boise also went after RAN's financial base, writing letters to all of RAN's major funders, urging them to cut off support.

Far-right, anti-ecology kindred spirits followed suit. Wise use organizations such as Ron Arnold's Center for Defense of Free Enterprise and Frontiers of Freedom, a group run by former Wyoming Senator Malcolm Wallop, petitioned the Internal Revenue Service to withdraw RAN's non-profit status. The IRS eventually declined to revoke the group's non-profit tax status.

Boise's aggressive strategy may have backfired. "If anything, I think we got more funding as a result [of Boise's letter-writing campaign]," says Krill. Activists saw the backlash as a "validation that our efforts were being successful," says Brune."

["From Worst to First: Under Pressure, Boise Cascade Agrees to Stop Logging Old-Growth Forests" Multinational Monitor, Nov. 2003]

Also, according to a release by the EPA in 2002, Boise Cascade and the U.S. Dept. of Justice reached a settlement requiring the company to pay penalties for inadequate improvements to reduce emissions as their production plants, and require them to make those improvements:

"WASHINGTON, D.C. -- The U.S. Justice Department and the Environmental Protection Agency today announced a comprehensive Clean Air Act (CAA) agreement with wood products industry giant Boise Cascade Corporation that will require reductions of up to 95 percent of the harmful emissions from the company's eight plywood and particle board plants. The plants are located in Oregon, Washington, Louisiana and Idaho.

The United States claims that Boise Cascade has modified and expanded its panel board operations over the past two decades without installing the proper air pollution control equipment to reduce harmful emissions as required by the Prevention of Significant Deterioration (PSD) regulations under the new source review provisions of the federal CAA and state rules. PSD regulations apply in areas where air quality is good and are intended to keep the air in compliance with national air quality standards.

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Justina

Deliberative

Deliberative

To: windsor.richard@epa.gov[]
Cc: "Diane Thompson" [Thompson.Diane@epamail.epa.gov]; N=David McIntosh/OU=DC/O=USEPA/C=US;"Lisa Heinzerling" [Heinzerling.Lisa@epamail.epa.gov]; Lisa Heinzerling" [Heinzerling.Lisa@epamail.epa.gov]; Allyn Brooks-LaSure" [brooks-lasure.allyn@epa.gov]; Bob Sussman" [Sussman.Bob@epamail.epa.gov]; Gina McCarthy" [McCarthy.Gina@epamail.epa.gov]
From: CN=Seth Oster/OU=DC/O=USEPA/C=US
Sent: Wed 9/2/2009 12:04:05 PM
Subject: Fw: Greenwire on PSD at OMB: EPA Draft Greenhouse Gas Rule Focuses on Large Emitters

See below. It's a good story. We knew it was coming and chose to let it go without comment -- a good decision.

----- Original Message -----

From: John Millett
Sent: 09/02/2009 06:35 AM EDT
To: Gina McCarthy; Don Zinger; oster.seth@epa.gov
Cc: David Cohen; Andrea Drinkard; "Alison Davis" <davis.alison@epa.gov>
Subject: Greenwire on PSD at OMB: EPA Draft Greenhouse Gas Rule Focuses on Large Emitters
EPA Draft Greenhouse Gas Rule Focuses on Large Emitters

Proposed rule would shield small sources of the greenhouse gases contributing to climate change By Robin Bravender

The EPA has drafted new rules aimed at large emitters of greenhouse gases, and sparing small sources.

U.S. EPA has sent a draft rule to the White House that could limit regulations on greenhouse gas emissions to cover only very large industrial sources. The agency yesterday submitted a rule to the White House Office of Management and Budget that experts say will likely limit strict permitting requirements to industrial sources of more than 25,000 tons a year of carbon dioxide equivalent. The rule is aimed at shielding smaller sources of emissions from being subject to any new regulatory regime. The Clean Air Act now requires new and modified industrial sources to install "best available control technologies" when they emit 250 tons or more of a pollutant per year. Although the submission to OMB does not include details of the proposed rule, experts say the threshold is likely to be set at 25,000 tons because that's the stated limit in both EPA's proposed greenhouse gas reporting rule and the climate legislation passed by the House in June. The draft "Prevention of Significant Deterioration/Title V Greenhouse Gas Tailoring Rule" is seen as a critical regulation that would work in conjunction with several other climate-change rules expected from EPA. EPA and the Transportation Department last week sent draft rules to the White House for review that would boost automobile and light truck efficiency standards for model years 2012 to 2016, and impose first-ever federal tailpipe standards for greenhouse gases. Those rules hinge on the finalization of EPA's proposed "endangerment finding," which would establish greenhouse gases as pollutants under the Clean Air Act. Once it begins to regulate greenhouse gases from cars and trucks, EPA will be legally required to regulate all new or modified facilities that emit more than 250 tons per year of carbon dioxide. By moving that threshold to 25,000 tons per year, the permitting rule would cover roughly 13,000 facilities from all sectors of the economy that account for 85 to 90 percent of U.S. emissions, the agency said. "What they're trying to do is protect the innocent bystanders from being impacted by the finalization of the car rule," said Roger Martella, who was EPA general counsel under President George W. Bush. David Bookbinder, chief climate counsel at the Sierra Club, said the rule would also deflect claims from Republican lawmakers and industry groups that the Obama administration is seeking to regulate small emission sources such as doughnut shops, schools and nursing homes. "Putting this rule in place

deflates a lot of the political rhetoric about regulating CO2," he said. The Obama EPA is moving forward on greenhouse gas regulations despite the administration's stated preference for legislation over agency regulations. Sens. Barbara Boxer (D-Calif.) and John Kerry (D-Mass.) -- the lead authors of the Senate climate bill -- announced yesterday that they would delay plans to introduce climate legislation until later this month. Bookbinder predicted EPA's proposed endangerment finding will be finalized soon, followed by the threshold rule and finally the tailpipe standards, which are expected to be finalized by March 2010. "You can't go final with the car rule until you have a final endangerment finding and you don't want to go final with the car rule until you have [the threshold rule] in place," he said. Bookbinder said environmentalists are comfortable with the 25,000 ton threshold, but Martella and others have expressed concerns that EPA may face questions about its legal authority to raise the threshold from the 250 tons stipulated in the Clean Air Act.

John Millett

EPA Office of Air and Radiation Communications

Desk: 202/564-2903

Cell: **Personal Privacy**

To: CN=Seth Oster/OU=DC/O=USEPA/C=US@EPA[]
Cc: "Allyn Brooks-LaSure" [brooks-lasure.allyn@epa.gov]; N=David McIntosh/OU=DC/O=USEPA/C=US@EPA;"Gina McCarthy" [McCarthy.Gina@epamail.epa.gov]; Gina McCarthy" [McCarthy.Gina@epamail.epa.gov]; Bob Sussman" [Sussman.Bob@epamail.epa.gov]; Diane Thompson" [Thompson.Diane@epamail.epa.gov]; indsor.richard@epa.gov[]
From: CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US
Sent: Wed 9/2/2009 12:33:30 PM
Subject: Re: Fw: Greenwire on PSD at OMB: EPA Draft Greenhouse Gas Rule Focuses on Large Emitters

Nicely done.

From: Seth Oster/DC/USEPA/US
To: windsor.richard@epa.gov
Cc: "Diane Thompson" <Thompson.Diane@epamail.epa.gov>, David McIntosh/DC/USEPA/US, "Lisa Heinzerling" <Heinzerling.Lisa@epamail.epa.gov>, "Allyn Brooks-LaSure" <brooks-lasure.allyn@epa.gov>, "Bob Sussman" <Sussman.Bob@epamail.epa.gov>, "Gina McCarthy" <McCarthy.Gina@epamail.epa.gov>
Date: 09/02/2009 08:04 AM
Subject: Fw: Greenwire on PSD at OMB: EPA Draft Greenhouse Gas Rule Focuses on Large Emitters

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John Millett

EPA Office of Air and Radiation Communications

Desk: 202/564-2903

Cell: Personal Privacy

To: CN=Seth Oster/OU=DC/O=USEPA/C=US@EPA;"Lisa Jackson" [windsor.richard@epa.gov]; Lisa Jackson" [windsor.richard@epa.gov]
Cc: CN=Diane Thompson/OU=DC/O=USEPA/C=US@EPA;CN=David McIntosh/OU=DC/O=USEPA/C=US@EPA;CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US@EPA;"Allyn Brooks-Lasure" [Brooks-lasure.allyn@epa.gov]; N=David McIntosh/OU=DC/O=USEPA/C=US@EPA;CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US@EPA;"Allyn Brooks-Lasure" [Brooks-lasure.allyn@epa.gov]; N=Lisa Heinzerling/OU=DC/O=USEPA/C=US@EPA;"Allyn Brooks-Lasure" [Brooks-lasure.allyn@epa.gov]; Allyn Brooks-Lasure" [Brooks-lasure.allyn@epa.gov]; N=Bob Sussman/OU=DC/O=USEPA/C=US@EPA;CN=Gina McCarthy/OU=DC/O=USEPA/C=US@EPA[]; N=Gina McCarthy/OU=DC/O=USEPA/C=US@EPA[]
From: CN=Richard Windsor/OU=DC/O=USEPA/C=US
Sent: Wed 9/2/2009 12:35:28 PM
Subject: Re: Greenwire on PSD at OMB: EPA Draft Greenhouse Gas Rule Focuses on Large Emitters

Congrats all, particularly Seth. Don't you love it when you are allowed to do your job and you are right?

----- Original Message -----

From: Seth Oster
Sent: 09/02/2009 08:04 AM EDT
To: windsor.richard@epa.gov
Cc: Diane Thompson; David McIntosh; Lisa Heinzerling; "Allyn Brooks-LaSure" <brooks-lasure.allyn@epa.gov>; Bob Sussman; Gina McCarthy
Subject: Fw: Greenwire on PSD at OMB: EPA Draft Greenhouse Gas Rule Focuses on Large Emitters

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U.S. EPA has sent a draft rule to the White House that could limit regulations on greenhouse gas emissions to cover only very large industrial sources. The agency yesterday submitted a rule to the White House Office of Management and Budget that experts say will likely limit strict permitting requirements to industrial sources of more than 25,000 tons a year of carbon dioxide equivalent. The rule is aimed at shielding smaller sources of emissions from being subject to any new regulatory regime. The Clean Air Act now requires new and modified industrial sources to install "best available control technologies" when they emit 250 tons or more of a pollutant per year. Although the submission to OMB does not include details of the proposed rule, experts say the threshold is likely to be set at 25,000 tons because that's the stated limit in both EPA's proposed greenhouse gas reporting rule and the climate legislation passed by

the House in June. The draft "Prevention of Significant Deterioration/Title V Greenhouse Gas Tailoring Rule" is seen as a critical regulation that would work in conjunction with several other climate-change rules expected from EPA. EPA and the Transportation Department last week sent draft rules to the White House for review that would boost automobile and light truck efficiency standards for model years 2012 to 2016, and impose first-ever federal tailpipe standards for greenhouse gases. Those rules hinge on the finalization of EPA's proposed "endangerment finding," which would establish greenhouse gases as pollutants under the Clean Air Act. Once it begins to regulate greenhouse gases from cars and trucks, EPA will be legally required to regulate all new or modified facilities that emit more than 250 tons per year of carbon dioxide. By moving that threshold to 25,000 tons per year, the permitting rule would cover roughly 13,000 facilities from all sectors of the economy that account for 85 to 90 percent of U.S. emissions, the agency said. "What they're trying to do is protect the innocent bystanders from being impacted by the finalization of the car rule," said Roger Martella, who was EPA general counsel under President George W. Bush. David Bookbinder, chief climate counsel at the Sierra Club, said the rule would also deflect claims from Republican lawmakers and industry groups that the Obama administration is seeking to regulate small emission sources such as doughnut shops, schools and nursing homes. "Putting this rule in place deflates a lot of the political rhetoric about regulating CO2," he said. The Obama EPA is moving forward on greenhouse gas regulations despite the administration's stated preference for legislation over agency regulations. Sens. Barbara Boxer (D-Calif.) and John Kerry (D-Mass.) -- the lead authors of the Senate climate bill -- announced yesterday that they would delay plans to introduce climate legislation until later this month. Bookbinder predicted EPA's proposed endangerment finding will be finalized soon, followed by the threshold rule and finally the tailpipe standards, which are expected to be finalized by March 2010. "You can't go final with the car rule until you have a final endangerment finding and you don't want to go final with the car rule until you have [the threshold rule] in place," he said. Bookbinder said environmentalists are comfortable with the 25,000 ton threshold, but Martella and others have expressed concerns that EPA may face questions about its legal authority to raise the threshold from the 250 tons stipulated in the Clean Air Act.

John Millett

EPA Office of Air and Radiation Communications

Desk: 202/564-2903

Cell: Personal Privacy

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: CN=Diane Thompson/OU=DC/O=USEPA/C=US@EPA;CN=David McIntosh/OU=DC/O=USEPA/C=US@EPA;CN=Seth Oster/OU=DC/O=USEPA/C=US@EPA;CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US@EPA;CN=Bob Sussman/OU=DC/O=USEPA/C=US@EPA;CN=Arvin Ganesan/OU=DC/O=USEPA/C=US@EPA[]; N=David McIntosh/OU=DC/O=USEPA/C=US@EPA;CN=Seth Oster/OU=DC/O=USEPA/C=US@EPA;CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US@EPA;CN=Bob Sussman/OU=DC/O=USEPA/C=US@EPA;CN=Arvin Ganesan/OU=DC/O=USEPA/C=US@EPA[]; N=Seth Oster/OU=DC/O=USEPA/C=US@EPA;CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US@EPA;CN=Bob Sussman/OU=DC/O=USEPA/C=US@EPA;CN=Arvin Ganesan/OU=DC/O=USEPA/C=US@EPA[]; N=Lisa Heinzerling/OU=DC/O=USEPA/C=US@EPA;CN=Bob Sussman/OU=DC/O=USEPA/C=US@EPA;CN=Arvin Ganesan/OU=DC/O=USEPA/C=US@EPA[]; N=Bob Sussman/OU=DC/O=USEPA/C=US@EPA;CN=Arvin Ganesan/OU=DC/O=USEPA/C=US@EPA[]; N=Arvin Ganesan/OU=DC/O=USEPA/C=US@EPA[]
From: CN=Allyn Brooks-LaSure/OU=DC/O=USEPA/C=US
Sent: Wed 9/2/2009 3:01:19 PM
Subject: FYI: Interesting graf in Politico story

"Also this fall," Obama "wants to slap new regulations on Wall Street firms, a goal that is now considered" by the WH a "higher priority than cap-and-trade energy legislation"

M. Allyn Brooks-LaSure | Deputy Associate Administrator for Public Affairs

U.S. Environmental Protection Agency | Office of the Administrator

Phone: 202-564-8368 | Email: brooks-lasure.allyn@epa.gov

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Diane Thompson/OU=DC/O=USEPA/C=US
Sent: Wed 9/2/2009 3:59:52 PM
Subject: Fw: CFO et al and other things

1. Do u want to call BB or should I?

2. **Deliberative**

3. **Deliberative**

4. Date for release of MTM -- Thur or Fri of next week. Do you care, assuming Friday would be in the AM? This will be press release.

5. I am going to cancel the meet and greet for Jo Ellen with the AA's and just make it a MTM mtg. Very complicated to try to do both, and the AA's won't care. Thought I would call JE and give her a heads up. OK?

Hope your day is going well.
DT

Diane E. Thompson
Chief of Staff
U. S. Environmental Protection Agency
202-564-6999

----- Forwarded by Diane Thompson/DC/USEPA/US on 09/02/2009 11:53 AM -----

From: Marygrace Galston/DC/USEPA/US
To: Richard Windsor/DC/USEPA/US@EPA, Diane Thompson/DC/USEPA/US@EPA
Date: 09/02/2009 11:36 AM
Subject: CFO

Barbara could be announced intent to nominate as early as tomorrow...but for sure by early next week. I have to call her to verify some information, but would one of you like to reach out to her first to let or know? or have me do it?

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Diane Thompson/OU=DC/O=USEPA/C=US
Sent: Wed 9/2/2009 6:25:51 PM
Subject: Re: CFO et al and other things

1. BB is thrilled
4. We will do MTM on Sept 10
5. Have confirmed AA's/Seth/ David for 15 minutes, with balance of hour saved for smaller MTM discussions. Jo Ellen only bringing Rock Salt. (I don't think of it as micro-managing--and appreciate the input.)

New items:

I am trying to schedule time for you to meet on Friday with our only candidate for OEI. This is the resume from the WH. It would be an unusual choice, but Scott and I both liked him and he is seeing Craig to get a better sense of what OEI presently is all about.

Personal Privacy called for help with call from Personal Privacy who called her. She felt she needed to return the call. I suggested she could confirm she talked with us, as we have always told candidates they were not the one and only, but should be as light on the details as possible and assume that whatever she said could well go to others.

Nothing pressing here. Safe travels.

DT

Diane E. Thompson
Chief of Staff
U. S. Environmental Protection Agency
202-564-6999

From: Richard Windsor/DC/USEPA/US
To: Diane Thompson/DC/USEPA/US@EPA
Date: 09/02/2009 12:03 PM
Subject: Re: CFO et al and other things

- 1- please call BB
- 2- cool
- 3- excellent
- 4 - prefer thurs b/c I believe some will purposely try to delay a friday announcement to after 5 pm and I hate those
- 5 - Not to micromanage but why not have the available AAs come by and intro themselves for 5 minutes in my office? It shows Jo-Ellen the respect that position commands. And then they go and we have our MTM mtg.

----- Original Message -----

From: Diane Thompson

Sent: 09/02/2009 11:59 AM EDT
To: Richard Windsor
Subject: Fw: CFO et al and other things
1. Do u want to call BB or should I?

2. **Deliberative**

3. **Deliberative**

4. Date for release of MTM -- Thur or Fri of next week. Do you care, assuming Friday would be in the AM? This will be press release.

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U. S. Environmental Protection Agency
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Date: 09/02/2009 11:36 AM
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To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA;lisapjackson@verizon.net[];
isapjackson@verizon.net[]
Cc: []
From: CN=Seth Oster/OU=DC/O=USEPA/C=US
Sent: Wed 9/2/2009 10:58:26 PM
Subject: Fw: Two Climate Related Reports

Hi. As you'll see from my email below, there are two climate related reports that we need to get out the door -- and everyone is in agreement that we should move forward. I screwed up dates in my email below. My recommendation is that we aim to get them out tomorrow, or on Friday morning first thing if for any reason tomorrow is too short of notice to get it done. Friday before a long weekend is not great, but neither is Tuesday when Congress returns, which may look like we're putting fuel on a fire to get attention and push the debate. Thoughts? Approve going forward?

Seth

Seth Oster
Associate Administrator
Office of Public Affairs
Environmental Protection Agency
(202) 564-1918
oster.seth@epa.gov

----- Forwarded by Seth Oster/DC/USEPA/US on 09/02/2009 06:56 PM -----

From: Seth Oster/DC/USEPA/US
To: Lisa Heinzerling/DC/USEPA/US@EPA, Gina McCarthy/DC/USEPA/US@EPA, Mathy Stanislaus/DC/USEPA/US@EPA, Bob Sussman/DC/USEPA/US@EPA, Diane Thompson/DC/USEPA/US@EPA, David McIntosh/DC/USEPA/US@EPA
Cc: Allyn Brooks-LaSure/DC/USEPA/US@EPA
Date: 09/02/2009 06:25 PM
Subject: Two Climate Related Reports

All,

There are two climate-related reports that are awaiting release -- one from Air (we've discussed this one previously) and another from OSWER. The short summaries of each are below.

I believe that we ought to release these together. Further, I think we should do so next week, before Labor Day.

While these reports should not in any way be considered controversial, there is the likelihood that some interested parties will seek to make them so -- and suggest that they are attempts to influence the upcoming debate in the Senate. I think we should release them in what is, and would be seen, as the normal course. And I think we should do so with a press release that positions them as EPA's latest science-based information on climate issues facing the nation.

Please respond with thoughts on this as soon as possible.

Thanks.

Seth

OSWER: climate change report --A new report from EPA finds significant potential to reduce the country's greenhouse gas (GHG) emissions through materials management (recycling and waste prevention), and land management (brownfield redevelopment, land restoration, and smart growth). By employing an innovative analysis, the report offers a new perspective on opportunities to reduce greenhouse gas emissions.

OAR: Release of EPA's Climate Change Indicators in the United States. EPA will issue a headquarters news brief to announce the release of a new report, Climate Change Indicators in the United States. This report presents a set of 24 climate change indicators, each describing trends in some way related to the causes and effects of climate change. These high quality data sets were taken from federal agencies and elsewhere, and help readers interpret important information to better understand climate change. Collecting and interpreting environmental indicators has played a critical role in our increased understanding of climate change and its causes and impacts. An indicator represents the state of certain environmental conditions over a given area and a specified period of time.

Seth Oster
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To: windsor.richard@epa.gov[]
Cc: thompson.diane@epa.gov; ganesan.arvin@epa.gov; goulding.robert@epa.gov[];
anesan.arvin@epa.gov; goulding.robert@epa.gov[]; oulding.robert@epa.gov[]
From: CN=David McIntosh/OU=DC/O=USEPA/C=US
Sent: Thur 9/3/2009 12:40:37 AM
Subject: What I recommend that you say to Voinovich tomorrow morning

Here is what I recommend that you say to Senator Voinovich tomorrow morning. In this instance, I recommend that you adhere closely to the script. At the bottom, there are two notes.

Deliberative

Deliberative

To: windsor.richard@epa.gov[]
Cc: ganesan.arvin@epa.gov;goulding.robert@epa.gov;thompson.diane@epa.gov[];
oulding.robert@epa.gov;thompson.diane@epa.gov[]; hompson.diane@epa.gov[]
From: CN=David McIntosh/OU=DC/O=USEPA/C=US
Sent: Thur 9/3/2009 1:24:56 AM
Subject: Re: What I recommend that you say to Voinovich tomorrow morning

I should have added this note to you: If, at some point after you have gotten through the points laid out below and have heard his reaction, it feels right to you to mention the Perciasepe hold, then you might consider bringing it up in this way:

Deliberative

From: David McIntosh/DC/USEPA/US
To: windsor.richard@epa.gov
Cc: thompson.diane@epa.gov, ganesan.arvin@epa.gov, goulding.robert@epa.gov
Date: 09/02/2009 08:40 PM
Subject: What I recommend that you say to Voinovich tomorrow morning

Here is what I recommend that you say to Senator Voinovich tomorrow morning. In this instance, I recommend that you adhere closely to the script. At the bottom, there are two notes.

Deliberative

Deliberative

To: "Windsor, Richard" [Windsor.richard@epa.gov]
Cc: "Thompson, Diane" [thompson.diane@epa.gov]; Oster, Seth" [oster.seth@epa.gov]; Hooks, Craig" [hooks.craig@epa.gov]; McIntosh, David" [mcintosh.david@epa.gov]; N=Arvin Ganesan/OU=DC/O=USEPA/C=US@EPA;"Heinzerling, Lisa" [Heinzerling.Lisa@epamail.epa.gov]; Heinzerling, Lisa" [Heinzerling.Lisa@epamail.epa.gov]; Sussman, Bob" [sussman.bob@epa.gov]
From: CN=Allyn Brooks-LaSure/OU=DC/O=USEPA/C=US
Sent: Thur 9/3/2009 1:31:16 AM
Subject: TPs on ARRA
[mime.htm](#)

TPs from the VPOTUS speech for tomorrow.

MABL.

M. Allyn Brooks-LaSure
Office of the Administrator
U.S. Environmental Protection Agency
Cell: **Personal Privacy**

From: "Oxhorn, Elizabeth A." **Personal Privacy**
Sent: 09/02/2009 06:33 PM AST
To: "Gilio, Jim C." **Personal Privacy** <Kendra_Barkoff@ios.doi.gov>; <Matt_Lee-Ashley@ios.doi.gov>; "Abrevaya, Sandra" <Sandra.Abrevaya@ed.gov>; Allyn Brooks-LaSure; <Sasha.Johnson@dot.gov>; "Mather, Chris" <Chris.Mather@oc.usda.gov>; <maureen.knightly@dot.gov>; "DeJong, Justin" <Justin.DeJong@oc.usda.gov>
Cc: "Hurlbut, Brandon K." **Personal Privacy**
Subject: RE: Draft Advisory for tomorrow

Hello folks –

We're working on a somewhat expand set of tp's for tomorrow, but here is an early version that should be helpful.

Liz

Topline Points on the U.S. Economy and the Recovery Act

****Not for Distribution****

- When President Obama took office, he faced the most serious economic and financial crisis of any President since Franklin Roosevelt inherited the Great Depression. The U.S. economy was in a nosedive:

- o Over 740,000 Americans lost their jobs in January 2009, the worst decline since 1949
- o New homes sales were falling (10.2% a month) and industrial production in a slump (2.2%)
- o Consumer Confidence fell to a forty year low in February
- o \$10 trillion in household wealth had been destroyed over the course of 2008
- o Serious commentators from across the political spectrum warned that we were witnessing the beginning of a second Great Depression

- The need for aggressive action obvious, yet many in Congress preferred to take the Herbert Hoover approach of doing nothing – to double-down on the failed policies of the past.

- President Obama disagreed with those who said we should just stand by and watch the economy collapse. He took bold steps to rescue our country from the destructive, vicious cycles that threatened the economic security of every American.

- First, he implemented a Financial Stability Plan to help restore confidence in our financial markets, ensure banks have adequate capital and encourage the flow of credit into the economy.

- o And now eight of the biggest financial institutions, as well as sixteen smaller banks, have fully repaid the government, with taxpayers seeing a 15 percent profit.

- Second, he launched an aggressive effort to stabilize the housing market and help millions of Americans stay in their homes.

- o Now, new home sales rose 10 percent in July - the sixth straight month of increases.

- And then, two hundred days ago, President Obama signed into law the third piece of the plan: the American Recovery and Reinvestment Act.

- o Today, leading independent economists estimate that the Recovery Act has created or saved 500,000 to 750,000 jobs so far.

- o The economists at Goldman Sachs believe the package added 2.2 percentage points to real growth in the 2nd quarter and will add 3.3 points in the current quarter.

- o As Moody's economist and former McCain campaign economic adviser Mark Zandi said recently, "It is no coincidence that the recession is ending just when the stimulus is providing maximum economic benefit."

- The Recovery Act was designed to do three things: provide help for those harmed by the economic crisis, aid in our recovery and lay a new foundation to make America competitive in the 21st century economy

- One-third of the money in the Recovery Act - \$288 billion – goes to tax cuts.

- o Across the country, more than \$62.5 billion in tax relief has already been paid out.

- o Ninety-five percent of working families are seeing an additional \$60 to \$80 a month in their paychecks thanks to the Making Work Pay tax credit.

- Roughly one-third of the money in the Recovery Act is for emergency relief for hard-hit families, businesses and state government.

- o Unemployment benefits have been extended and increased by \$25 a week.

- o Families relying on COBRA health insurance are paying 65 percent less for their health coverage.

- o Tens of thousands of education and law enforcement jobs have been saved from state budget cuts.

- The final one-third of the money is for investing in building the infrastructure and technology that will be the

platform for the 21st century economy.

- o The Recovery Act makes billions of dollars of investments in high speed rail, broadband, new battery technologies, health information technologies, a more efficient electrical grid and renewable energy sources.

- o In many cases, those funding awards are matched by the companies or private investors, stretching those dollars even farther and getting capital moving in the economy again.

- The Administration accomplished a lot in the first 100 days of the Recovery Act under the Vice President's leadership.

- For the second 100 days, the President and Vice President decided it was time to put some pace on the ball – and asked the Cabinet to set bold goals for what they could accomplish.

- o Tomorrow, the Vice President will announce how the Cabinet not only delivered on those goals on-time, but under-budget.

- It is increasingly clear that the President and Vice President's efforts have put the brakes on this recession and begun to lay the foundation for long-term economic growth.

- Some people with political motivations have suggested the stimulus isn't working because there is still unemployment. Let's remember that it took years of misguided and failed policies to create a hole this big.

- o The important thing is that, for the first time in nearly a decade, we're climbing our way out of the hole instead of digging it deeper.

- Six months ago, economists were worrying about this recession turning into a depression. Today, thanks to the Recovery Act and the Administration's other economic efforts, they're talking about how soon this recession will end.

- o The rate of job loss in July was one-third what it was in January

- o New home sales are growing at a monthly rate of 9.6 percent

- o Industrial production is experiencing positive growth for the first time since October (0.5%)
- o Consumer confidence has more than doubled since February

LEADING ECONOMIC INDICATORS – JANUARY v. JULY

Indicators

Then
Now

Real GDP (1)

-6.4%
-1.0%

Job Losses (2)

-741,000
-247,000

Industrial Production (3)

-2.2%
0.5%

Home Prices (4)

-2.1%
0.7%

New Home Sales (5)

-10.2%
9.6%

Consumer Confidence (6)

37.4
54.1

1: Real annual growth rates, 2009q1 and 2009q2

2: Payroll employment declines from January 2009 and July 2009.

3: Monthly percent change, Jan 09 and July 09

4: Case-Schiller, monthly percent change, Jan 09 and June 09

5: Monthly percent change, Jan 09 and July 09

6: Conference Board Index, 1985=100, Jan 09 and Aug 09

TPs from the VPOTUS speech for tomorrow.

MABL.

M. Allyn Brooks-LaSure
Office of the Administrator
U.S. Environmental Protection Agency
Cell: **Personal Privacy**

From: "Oxhorn, Elizabeth A." **Personal Privacy**
Sent: 09/02/2009 06:33 PM AST
To: "Gilio, Jim C." **Personal Privacy**; <Kendra_Barkoff@ios.doi.gov>; <Matt_Lee-Ashley@ios.doi.gov>; "Abrevaya, Sandra" <Sandra.Abrevaya@ed.gov>; Allyn Brooks-LaSure; <Sasha.Johnson@dot.gov>; "Mather, Chris" <Chris.Mather@oc.usda.gov>; <maureen.knightly@dot.gov>; "DeJong, Justin" <Justin.DeJong@oc.usda.gov>
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To: CN=David McIntosh/OU=DC/O=USEPA/C=US@EPA;"windsor richard" [windsor.richard@epa.gov]; windsor richard" [windsor.richard@epa.gov]
Cc: "ganesan arvin" [ganesan.arvin@epa.gov]; goulding robert" [goulding.robert@epa.gov]; thompson diane" [thompson.diane@epa.gov]
From: CN=Arvin Ganesan/OU=DC/O=USEPA/C=US
Sent: Thur 9/3/2009 1:46:12 AM
Subject: Re: What I recommend that you say to Voinovich tomorrow morning

Deliberative

Sent from my Blackberry Wireless Device

----- Original Message -----

From: David McIntosh

Sent: 09/02/2009 09:24 PM EDT

To: windsor.richard@epa.gov

Cc: ganesan.arvin@epa.gov; goulding.robert@epa.gov; thompson.diane@epa.gov

Subject: Re: What I recommend that you say to Voinovich tomorrow morning

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Cc: goulding.robert@epa.gov[]
From: CN=David McIntosh/OU=DC/O=USEPA/C=US
Sent: Thur 9/3/2009 2:09:21 AM
Subject: proposed talking points for your Tom Donahue call tomorrow morning
[Bill Kovacs](#)
[Read More](#)
[access it here](#)

Deliberative

Here is the full Kovacs August 31 submission to the National Journal:

Responded on August 31, 2009 8:23 AM

Bill Kovacs, Vice President for the Environment, Technology & Regulatory Affairs Division, U.S. Chamber of Commerce

Well it certainly seems like the Chamber's supplemental petition for an "on the record" hearing on endangerment struck a nerve this week.

Before responding to the National Journal's question, let me clarify a few things. The U.S. Chamber of Commerce is not denying or otherwise challenging the science behind global climate change. Many of the news articles on our petition the past few days made that claim. They are not correct.

The anti-business lobby quickly jumped on these news articles without actually reading the substance of the Chamber's petition, casting us as climate "deniers." That is certainly unfortunate, but not unexpected. For many of these special interest groups, dogma trumps facts, and they've been calling us deniers for

years, even though the Chamber supports sensible and ambitious congressional and international action on global climate change. My “Scopes monkey” analogy was inappropriate and detracted from my ability to effectively convey the Chamber’s position on this important issue.

With that said, what the Chamber is doing is re...

[Read More](#)

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My “Scopes monkey” analogy was inappropriate and detracted from my ability to effectively convey the Chamber’s position on this important issue.

With that said, what the Chamber is doing is requesting that EPA conduct a formal on-the-record hearing on the evidence underlying its finding of endangerment. EPA wants to use the Clean Air Act to regulate CO2 emissions from cars. Before it can do this, EPA must first find, as a matter of law, that U.S. greenhouse gas emissions from new motor vehicles endanger U.S. public health and welfare. Because EPA has proposed that man-made greenhouse gas emissions cause or contribute to rising global temperatures, to make the endangerment finding EPA must now establish that the rising temperatures threaten public health and welfare—that is their burden of proof. EPA is, by all accounts, on the verge of answering this question in the affirmative. We don’t think the evidence EPA set forth meets the legal criteria to support such a finding, and we think a judge would agree with us. Normally, such issues could be worked out through an ordinary informal rulemaking process (i.e., notice and comment). However, this rulemaking has been anything but ordinary.

First, the proposed endangerment finding acknowledges that the Administrator’s decision must be based on sound science, not speculation. Then it proceeds to run through a laundry-list of “uncertainties” that not only undermine its finding but also that the Administrator simply plans to ignore. Examples include:

- “[T]he scientific literature does not provide definitive data or conclusions on how climate change might impact aeroallergens and subsequently the prevalence of allergenic illnesses in the U.S.” (74 Fed. Reg. at 18,901.)
- “[I]t is currently difficult to ascertain the balance between increased heat-related mortality and decreased cold-related mortality.” (Id.)
- “[C]learly attributing specific regional changes in climate to emissions of greenhouse gases from human activities is difficult, especially for precipitation.” (Technical Support Document (TSD) at ES-3.)
- Increased hurricane intensity is “likely,” but changes in frequency of hurricanes “are currently too uncertain for confident projections.” (TSD at ES-4.)
- “Carbon dioxide can have stimulatory or fertilization effects on plant growth. There is debate and uncertainty about the sensitivity of crop yields to the direct effects of elevated CO2 levels.” (Id. at 17.)
- “Several yet unresolved questions prevent a definitive assessment of the effect of elevated CO2 on other components of the carbon cycle in forest ecosystems.” Id. at 90.
- Finally, EPA states that “there are many inherent uncertainties associated with characterizing both the observed and projected risks and impacts to public health and welfare due to current and projected greenhouse gas concentrations.” (74 Fed. Reg. at 18,903.)

Is it unreasonable to think that these uncertainties should be resolved before moving ahead with the sweeping, invasive program of regulation the Clean Air Act would compel?

Second, and equally troubling, is EPA’s ignorance of any evidence that calls into question its conclusions on endangerment. We all know by now the saga of Alan Carlin, the EPA whistleblower whose internal report criticizing the data behind the endangerment finding was ignored because, according to Dr. Carlin’s boss, it does “not help the legal or policy case” for endangerment. It now appears EPA officials are considering scrapping the role Carlin’s office has in scientific analysis of agency rulemakings. Dr. Carlin is learning first-hand that the word

“reprisal” contains the letters E, P and A.

EPA’s docket also shows that other federal agencies recognized shortcomings in the proposed endangerment finding. For instance, OMB called EPA to task for “applying a dramatically expanded precautionary principle,” noting that “the impact of climate-sensitive diseases may be minimal in a rich country like the U.S.” Further, OMB questioned why EPA focused so heavily on ozone effects from climate change when EPA already had existing Clean Air Act regulations in place designed to regulate ozone.

The facts listed above, when considered in their entirety, point to an inescapable conclusion: the informal rulemaking process has broken down here. The process to date has not been open and transparent, nor has it been conducted with scientific integrity, free from politics, ideology, and ex parte consultations. That is why the U.S. Chamber is asking for a formal on-the-record hearing: to bring into the open the reasoning behind this finding. The Chamber has been sharply criticized by EPA and environmental groups for making such a request. I am at a loss to explain why this is so. It is beyond debate that this endangerment finding will have serious economic consequences for the U.S., as the finding will trigger several far-reaching Clean Air Act programs for stationary and mobile sources alike, and apply them to greenhouse gases. Shouldn’t everyone want a major decision like this to be decided on the basis of all the available science, in an open and transparent way? This is especially significant because President Obama himself issued an Executive Memorandum on his second day in office calling for transparency in government and in the scientific process.

I am sure at least one of the respondents to today’s blog question will assert that, because the Chamber is against an “endangerment finding,” it must mean that we don’t support the environmental objectives behind reducing greenhouse gas emissions. This once again confuses “endangerment” with “climate change.” Endangerment in the Clean Air Act context is a bureaucratic turn of a phrase; one can be against an endangerment finding and still supportive of strong, effective action to reduce carbon emissions. Indeed, the Chamber’s platform of technology, efficiency, and a global approach would actually do more to reduce global greenhouse gas emissions than a finding of “endangerment” by EPA ever could. And under the Chamber’s approach, we could achieve these benefits while creating American jobs and avoiding severe economic disruption.

As to the question of whether this is merely a delay tactic, I assure you it is most certainly not. In fact, we combed the entire public docket, and all comments filed, before filing our supplemental petition this week. Less than 3 percent of the 5600 public comments to EPA’s endangerment docket included scientific data or a significant discussion of scientific data, and fewer than 100 parties provided extensive scientific information on important scientific questions. Such a small number of potential witnesses could be dealt with in a short timeframe. The Administrator herself has the authority to mandate a “term of reference” for completion of the hearing—say, 100 days—and set real, binding time limits on resolving the matter. So time is not an issue.

The EPA should welcome the opportunity to convert this massively important regulatory decision to one based on the record of the science by allowing a thorough and public examination of the entire record, rather than hide from doing so. The Chamber’s petition is meant to help move the debate forward.

Finally, for those who plan to respond to this blog post, I ask that you first read the Chamber’s petition. You can access it [here](#). Read the executive summary, if that is all you have time for. But please do everyone reading this blog the favor of knowing what we are talking about here before responding, whether the response is for or against the Chamber’s petition.

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US
Sent: Thur 9/3/2009 12:39:13 PM
Subject: "Rulemaking Gateway" heads up

Lisa,

Here is something cool....

OPEI is in the midst of making improvements to EPA's Laws & Regulations Web site (<http://www.epa.gov/lawsregs/>). The site acts as a portal to EPA's regulatory information. It now receives over 300,000 visitors per month. In response to feedback from these users and your call for more transparency in EPA's operations, we are preparing to add a "Rulemaking Gateway" feature that will make it simpler for the public to learn about and participate in rulemakings.

The vast majority of the Gateway's information is already on-line, but it is often difficult for the general public to find. The Gateway will be a one-stop shop allowing users to link more easily to the detailed information hosted on program office Web pages and Regulations.gov. Our focus is on individuals who don't fully understand the regulatory process and need a quick way to discover how our rulemakings affect them. OPEI is collaborating with a cross-Agency workgroup to define the Gateway's data and site design. Key elements of the site's features will include:

Early information - Early and frequent updates that begin when a rule is initiated. Time-sensitive data will be updated daily and more static information will be updated on a monthly basis. (Now, EPA notifies the public when a rule is initiated and then provides updates every 6 months via the Regulatory Agenda.)
How Can I Participate? - A feature box that highlights opportunities for public engagement, such as public meetings, fact sheets, and comment periods (with links to applicable comment forms on Regulations.gov).
Sort by Effects - A page that allows various stakeholder groups (e.g., environmental justice communities, state governments) to access a list of those rulemakings expected to affect them.

I think the Rulemaking Gateway will improve the transparency of work going on at EPA. As an avid user of Regulation.gov as a law professor (a little pathetic, I know, but true), I can personally attest to the challenges of navigating currently available web resources to find out what's happening with respect to a particular regulation or set of regulations. I can't say the Rulemaking Gateway will completely solve this problem, but I believe it will help a lot.

Please let me know if you have any questions or concerns about this.

Best,
Lisa

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US
Sent: Thur 9/3/2009 1:11:18 PM
Subject: Re: "Rulemaking Gateway" heads up

Great. Yes.

From: Richard Windsor/DC/USEPA/US
To: Lisa Heinzerling/DC/USEPA/US@EPA
Date: 09/03/2009 08:40 AM
Subject: Re: "Rulemaking Gateway" heads up

V cool. Hope we're planning to publicize. Lj

----- Original Message -----

From: Lisa Heinzerling
Sent: 09/03/2009 08:39 AM EDT
To: Richard Windsor
Subject: "Rulemaking Gateway" heads up

Lisa,

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Sort by Effects - A page that allows various stakeholder groups (e.g., environmental justice communities, state governments) to access a list of those rulemakings expected to affect them.

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particular regulation or set of regulations. I can't say the Rulemaking Gateway will completely solve this problem, but I believe it will help a lot.

Please let me know if you have any questions or concerns about this.

Best,
Lisa

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Betsaida Alcantara/OU=DC/O=USEPA/C=US
Sent: Thur 9/3/2009 7:15:47 PM
Subject: Van Jones Fox story

this posted on the huff post:

Huffington Post: Fox News Shocked Van Jones Called Republicans "Assholes" -- In February

Oooh, boy! I know what Glenn Beck is going to be talking about on his Fox News Comedy Cavalcade today! The Hill reports that a video of White House green jobs adviser Van Jones is rocketing around the internet today, in which Jones, appearing at a lecture at the Berkeley Energy and Resources Collaborative, refers to Republicans -- and himself -- as "assholes."

The incident occurred last February, before Jones joined the administration and at a time when the battle to get the stimulus package passed was ongoing. A questioner asked Jones why it was that the Republicans were so successful at getting measures passed in the Senate without supermajorities, while the Democrats were hamstrung with 58 votes of their own. Jones short answer: "Well...they're assholes." The larger point being: sometimes it takes an asshole to get things done.

QUESTIONER: When [President George W. Bush] was in office, [Republicans] had a majority; it wasn't 60, it wasn't more than 60, but they pushed through all of these bills," the questioner began. "But when we have, you know, 58, we seem to not be able to move things as progressively as many of us here would want, as Obama wants. I know that he has a strong interest in bipartisanship, but when no Republicans are voting with him, ... how were they Republicans able to push things through when they had less than 60 senators, but somehow we cant?

JONES: Well the answer to that is, they're assholes.

QUESTIONER: I was afraid that was the answer.

JONES: As a technical, political kind of term. And Barack Obama is not an asshole. Now, I will say this: I can be an asshole, and some of us who are not Barack Hussein Obama, are going to have to start getting a little bit uppity.

Fox News is already totally LOLcatting this! This makes sense. It has everything that Fox could possibly want: Van Jones! Intemperate remarks! Someone besides Dick Cheney swearing! Berkeley! A black person using the word "uppity!" The word "collaborative!"

To: windsor.richard@epa.gov;CN=David McIntosh/OU=DC/O=USEPA/C=US@EPA;CN=Seth Oster/OU=DC/O=USEPA/C=US@EPA;CN=Diane Thompson/OU=DC/O=USEPA/C=US@EPA[]; N=David McIntosh/OU=DC/O=USEPA/C=US@EPA;CN=Seth Oster/OU=DC/O=USEPA/C=US@EPA;CN=Diane Thompson/OU=DC/O=USEPA/C=US@EPA[]; N=Seth Oster/OU=DC/O=USEPA/C=US@EPA;CN=Diane Thompson/OU=DC/O=USEPA/C=US@EPA[]; N=Diane Thompson/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Aaron Dickerson/OU=DC/O=USEPA/C=US
Sent: Thur 9/3/2009 8:45:44 PM
Subject: Fw: PSA Bipartisan Statement on Climate Change
<http://www.psaonline.org/downloads/Climate.pdf>
rojansky@psaonline.org
[Hotspot prandato@psaonline.org](mailto:prandato@psaonline.org)
<http://www.psaonline.org/downloads/Climate.pdf>
www.PSAonline.org

FYI

----- Forwarded by Aaron Dickerson/DC/USEPA/US on 09/03/2009 04:28 PM -----

From: Matthew Rojansky <psa@psaonline.org>
To: Aaron Dickerson/DC/USEPA/US@EPA
Date: 09/03/2009 04:20 PM
Subject: PSA Bipartisan Statement on Climate Change

Dear Ms. Jackson,

I am writing to bring to your attention a high-level bipartisan statement on climate change and national security, signed by thirty-two top Democrats and Republicans, including nine former Senators, three former National Security Advisors, two former Secretaries of State, and a former Secretary of Defense. The full text and signatory list are copied below, and a PDF of the statement can be seen here:

<http://www.psaonline.org/downloads/Climate.pdf>

The statement will appear in Politico as a full page advertisement on Tuesday, September 8. With the U.S. Senate currently considering a bill on climate change and the Copenhagen summit only three months away, we hope this statement can help generate consensus for a clear, comprehensive, realistic and broadly bipartisan plan to address our role in the climate change crisis.

I have copied below an invitation to our formal launch event to be held on Capitol Hill, on Tuesday. Please join us if you can, and feel free to share this invitation with others who may be interested. If you have any questions or suggestions regarding this effort, I would be happy to hear from you.

Sincerely,

Matt Rojansky

Executive Director

Partnership for a Secure America
2000 P Street, NW, Suite 505
Washington, DC 20036
Phone: (202) 293-8580
Fax: (202) 747-7732
E-mail: rojansky@psaonline.org

*** EVENT INVITATION ***

Climate Change, Energy and National Security
We Must Work Together on an American Strategy

Tuesday, September 8, 2009, 11:00 am – 12:00 pm

Reserve Officers Association (One Constitution Avenue, NE, Washington, DC 20002)

You are invited to join Partnership for a Secure America, the Reserve Officers Association and CNA for a discussion on the national security implications of climate change and America's energy use. This event will coincide with the release of PSA's bipartisan statement, signed by 32 prominent Republicans and Democrats, urging the development of a "unified American strategy" that will allow the U.S. to respond to and mitigate the impact of climate change.

Speakers:

Sen. Joseph Lieberman (Invited)
R. James Woolsey, Director of Central Intelligence 1993-95
Frank Wisner, Undersecretary of State 1992-93, Amb. to India 1994-97
Vice Admiral Dennis McGinn, USN (Ret.), CNA Military Advisory Board

To RSVP

E-mail prandato@psaonline.org
Call 202-293-8580

*** FINAL STATEMENT AND SIGNATORIES ***

For a PDF version of the statement as it will appear in Politico, click here:
<http://www.psaonline.org/downloads/Climate.pdf>

Climate Change Threatens All Americans
We Must Work Together on an American Strategy

Climate change is a national security issue. The longer we wait to act, the harder it will be to mitigate and respond to its impacts. U.S. leadership alone will not guarantee global cooperation. But if we fail to take action now, we will have little hope of influencing other countries to reduce their own harmful contributions to climate change, or of forging a coordinated international response.

We must also help less developed countries adapt to the realities and consequences of a drastically changed climate. Doing so now will help avoid humanitarian disasters and political instability in the future that could ultimately threaten the security of the U.S. and our allies.

But most importantly, we must transcend the political issues that divide us – by party and by region – to devise a unified American strategy that can endure and succeed.

We, the undersigned Republicans and Democrats, believe Congress working closely with the Administration must develop a clear, comprehensive, realistic and broadly bipartisan plan to address our role in the climate change crisis. We must lead.

Howard Baker, US Senator (R-TN) 1967-85
 Samuel Berger, National Security Advisor 1997-2001
 Warren Christopher, Secretary of State 1993-97
 John C. Danforth, US Senator (R-MO) 1977-95
 Kenneth M. Duberstein, White House Chief of Staff 1988-89
 Slade Gorton, US Senator (R-WA) 1981-87, 1989-2001
 Lee Hamilton, US Congressman (D-IN) 1965-99, Co-Chair, PSA Advisory Board
 Gary Hart, US Senator (D-CO) 1975-87
 Rita E. Hauser, Chair, International Peace Institute
 Carla Hills, US Trade Representative 1989-93
 Nancy Kassebaum-Baker US Senator (R-KS) 1978-97
 Thomas Kean, Governor (R-NJ) 1982-90, 9/11 Commission Chair
 Anthony Lake, National Security Advisor 1993-97
 Richard Leone, President, The Century Foundation
 Robert McFarlane, National Security Advisor 1983-85
 Vice Admiral Dennis McGinn, USN (Ret.), CNA Military Advisory Board
 Donald McHenry, US Ambassador to the UN 1979-81
 Sam Nunn, US Senator (D-GA) 1972-96
 William Perry, Secretary of Defense 1994-97
 Peter G. Peterson, Secretary of Commerce 1972-73
 Thomas Pickering, Under Secretary of State 1997-2000
 Joseph Prueher, US Ambassador to China 1999-2001, Commander, U.S. Pacific Command 1996-99
 Warren Rudman US Senator (R-NH) 1980-92
 George Shultz Secretary of State 1982-89
 Theodore Sorensen, White House Special Counsel 1961-63
 Gen. Charles F. Wald, USAF (Ret.) Deputy Commander, US European Command 2002-06, CNA Military Advisory Board
 John Warner, US Senator (R-VA) 1979-2009
 John Whitehead, Deputy Secretary of State 1985-88
 Christine Todd Whitman, Governor (R-NJ) 1994-2001
 Timothy E. Wirth US Senator (D-CO) 1987-93
 Frank Wisner, Under Secretary of State 1992-93
 R. James Woolsey, Director of Central Intelligence 1993-95

www.PSAonline.org

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: CN=Gina McCarthy/OU=DC/O=USEPA/C=US@EPA;CN=Lisa
Heinzerling/OU=DC/O=USEPA/C=US@EPA;CN=Diane
Thompson/OU=DC/O=USEPA/C=US@EPA;CN=David
McIntosh/OU=DC/O=USEPA/C=US@EPA;CN=Allyn Brooks-
LaSure/OU=DC/O=USEPA/C=US@EPA[]; N=Lisa
Heinzerling/OU=DC/O=USEPA/C=US@EPA;CN=Diane
Thompson/OU=DC/O=USEPA/C=US@EPA;CN=David
McIntosh/OU=DC/O=USEPA/C=US@EPA;CN=Allyn Brooks-
LaSure/OU=DC/O=USEPA/C=US@EPA[]; N=Diane
Thompson/OU=DC/O=USEPA/C=US@EPA;CN=David
McIntosh/OU=DC/O=USEPA/C=US@EPA;CN=Allyn Brooks-
LaSure/OU=DC/O=USEPA/C=US@EPA[]; N=David
McIntosh/OU=DC/O=USEPA/C=US@EPA;CN=Allyn Brooks-
LaSure/OU=DC/O=USEPA/C=US@EPA[]; N=Allyn Brooks-
LaSure/OU=DC/O=USEPA/C=US@EPA[]
From: CN=Seth Oster/OU=DC/O=USEPA/C=US
Sent: Thur 9/3/2009 10:26:51 PM
Subject: Air Issues Rollout -- PSD, Autos and Ozone
[op.ed10.doc](#)

Hi Administrator.

We need to make a few key decisions on the path forward on communicating the proposed PSD and Autos rules--which, if dates hold, would be the week after next. Gina, Lisa, David, Diane and I and others have been meeting and talking regularly about the strategy below, which you and I have also discussed in several conversations.

The purpose here is to provide you with (1) the summary plan, (2) an op-ed for your review and (3) to identify the challenges/tasks next week in getting going.

The op-ed is attached below and following is a summary of the objectives and strategy.

Objectives

Deliberative

Strategy:

- Employ a two-phased approach

Deliberative

Deliberative

Challenges

Deliberative

Seth Oster
Associate Administrator
Office of Public Affairs
Environmental Protection Agency
(202) 564-1918
oster.seth@epa.gov

THREE STEPS FORWARD TOWARD CLEANER AIR

In 2007, the U.S. Supreme Court handed down perhaps the most significant decision ever reached in environmental law. The Court ruled that greenhouse gases pose a danger to the health of Americans, and mandated action under the Clean Air Act. The Supreme Court's message was clear: there should be no more excuses for delay.

Regrettably, in the period after that landmark ruling nothing much changed—until now. We can no longer ignore the science, the law or the vital challenge of reducing dangerous greenhouse gases through smarter energy use.

First and foremost, President Obama vigorously supports strong clean energy legislation. An innovative clean energy policy will enhance our national security, reduce our dangerous reliance on foreign oil, save money for consumers, and significantly reduce air pollution including greenhouse gases. But even as legislation moves through Congress, the Environmental Protection Agency—which bears responsibility for implementing the Clean Air Act and for enforcing the Supreme Court's 2007 decision—is today taking three major steps towards cleaner air in America:

First, the EPA is formally proposing along with the Department of Transportation the national clean-car initiative the President announced with automakers in May. The proposed rule will ensure that every car sold after 2012 meets new fuel efficiency standards. As the President said, "Everybody wins." Automakers will have a consistent national standard, consumers will get more from each gallon of gas and everyone will get cleaner air. America will save 1.8 billion barrels of oil over the lifetime of the vehicles sold in the next five years—more than we imported last year from Saudi Arabia, Venezuela, Libya, and Nigeria combined—and greenhouse pollution will be cut by 950 million tons.

Second, EPA is proposing a rule requiring large facilities undergoing new construction or significant modifications to identify and reduce emissions deemed a threat by the Supreme Court. This will be a common-sense rule that meets the needs of our environment and our economy. It is strategically tailored to impact only facilities discharging over 25,000 tons of carbon each year—facilities responsible for nearly 70 percent of non-vehicle carbon emissions spewed into this country's skies, like oil refineries.

Third, EPA will address dangerous levels of air pollution in our communities by reviewing the Bush Administration's standards on smog. This is one of the most important measures protecting Americans—especially children—from asthma, premature birth and other health issues, and many experts feel the current

standard simply doesn't do enough. Our review will be guided by the law and the science, and undertaken swiftly and transparently.

These are major advances against air pollution and climate change. Like any changes, they are being resisted by defenders of the status quo. Some deny the severity of our challenges and exaggerate the scope of our actions. Others make misleading and outright false claims that government is planning to regulate everything from cow emissions to carbon dioxide from human breathing. These kinds of scare tactics should be dismissed. There are real concerns that need to be addressed – for instance, worries that small businesses could be hit with costly regulations. That is why we carefully tailored our rules to apply to only the largest facilities, exempting the vast majority of American small businesses. Dunkin' Donuts and Burger King might be good places to go for a chocolate glazed or a Whopper, but not for huge carbon reductions.

We will continue to work with Congress on legislation to cut carbon emissions, get America running on clean energy and create millions of jobs. New legislation is the best path forward in this fight. But continued delay is not an option. We will use the Clean Air Act in targeted, strategic ways that safeguard the health of Americans and our environment. Today the message is clear: the journey towards real carbon reductions, clean energy and cleaner air has begun.

Lisa P. Jackson is the Administrator of the Environmental Protection Agency

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
From: CN=Katharine Gage/OU=DC/O=USEPA/C=US
Sent: Thur 9/3/2009 11:42:54 PM
Subject: Re: CA Trip info for Edie

Ms. Baskin left me a voicemail today and I'll follow up.

Thank you!

----- Original Message -----

From: Richard Windsor

Sent: 09/03/2009 07:23 PM EDT

To: "Skip Bronson" <rdb@bronsoncos.com>

Subject: CA Trip info for Edie

Hi Skip,

I forgot to get Edie's e-mail address when I spoke to her earlier. So would you mind being the world's highest paid messenger for me one more time? :)

Please let Edie know that my scheduler is working with her offic and is holding the evening of Wednesday, Sept 30 for an NRDC meet and greet BBQ. And Kenny and I will look forward to dinner with you and Edie on Sat, the 3rd. Thanks!

Lisa

THREE STEPS FORWARD TOWARD CLEANER AIR

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Lisa P. Jackson is the Administrator of the Environmental Protection Agency

To: "Lisa Jackson" [windsor.richard@epa.gov]; Seth Oster"
[Oster.Seth@epamail.epa.gov]; Gina McCarthy" [mccarthy.gina@epa.gov]; David McIntosh"
[McIntosh.David@epamail.epa.gov]; Allyn Brooks-LaSure" [Brooks-
LaSure.Allyn@epamail.epa.gov]; Diane Thompson" [Thompson.Diane@epamail.epa.gov]
From: CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US
Sent: Fri 9/4/2009 12:25:16 PM
Subject: David Doniger's take on tailoring rule

http://switchboard.nrdc.org/blogs/ddoniger/wall_street_journal_outfoxed.html

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: CN=Diane Thompson/OU=DC/O=USEPA/C=US@EPA;CN=Katharine Gage/OU=DC/O=USEPA/C=US@EPA[]; N=Katharine Gage/OU=DC/O=USEPA/C=US@EPA[]
From: CN=Robert Goulding/OU=DC/O=USEPA/C=US
Sent: Fri 9/4/2009 4:14:39 PM
Subject: Fw: Scheduling request for Administrator Jackson and Senator Boxer here!

Administrator -

Dave sums it up succinctly below. Boxer's office requested a meeting for when you will be in NC; we began to explore other options, but now Boxer has insisted this take place on Tuesday (Carol Browner will be invited). Dave's recommendation is that Gina, Lisa H and he take the meeting so that EPA is properly represented. We'll execute whichever decision is made.

Robert Goulding
US EPA - Office of the Administrator
1200 Pennsylvania Ave., NW
Washington, DC 20460
(p) 202-564-0473 - (f) 202-501-1450

*Please consider the environment before printing this e-mail
----- Forwarded by Robert Goulding/DC/USEPA/US on 09/04/2009 12:11 PM -----

From: David McIntosh/DC/USEPA/US
To: Robert Goulding/DC/USEPA/US@EPA
Cc: Arvin Ganesan/DC/USEPA/US@EPA, Diane Thompson/DC/USEPA/US@EPA, Katharine Gage/DC/USEPA/US@EPA
Date: 09/04/2009 12:09 PM
Subject: Re: Fw: Scheduling request for Administrator Jackson and Senator Boxer

Thanks Rob,
I hate to bother the Administrator, but I think we need her guidance on this. Would you like to (or me) to frame it for her in this way:

Chairman Boxer wants to meet with you and Carol Browner next Tuesday morning about EPA's GHG-related activity under the existing Clean Air Act, and how that relates to the legislative effort that she is about to launch. We told her that you are out of town that day, and we asked whether the meeting could take place on a different day next week. She responded that the meeting must occur on Tuesday morning, and that she wants Gina, Lisa, and me there if you cannot be there. I think that if we push back, then she will just conduct the meeting with Carol alone. Under the circumstances, I recommend that you authorize Gina, Lisa, and me to meet with Chairman Boxer and Carol Browner in your absence.

From: Robert Goulding/DC/USEPA/US
To: David McIntosh/DC/USEPA/US@EPA
Cc: Arvin Ganesan/DC/USEPA/US@EPA, Katharine Gage/DC/USEPA/US@EPA, Diane Thompson/DC/USEPA/US@EPA
Date: 09/04/2009 12:03 PM
Subject: Fw: Scheduling request for Administrator Jackson and Senator Boxer

Dave,

See below. Prior to locking in a second option, Boxer's office is now requesting Gina, you and Lisa Heinzerling. Should we pursue the meeting the way they've now framed it?

Robert Goulding
US EPA - Office of the Administrator
1200 Pennsylvania Ave., NW
Washington, DC 20460
(p) 202-564-0473 - (f) 202-501-1450

*Please consider the environment before printing this e-mail

----- Forwarded by Robert Goulding/DC/USEPA/US on 09/04/2009 12:01 PM -----

From: "Ordal, Paul (EPW)" <Paul_Ordal@epw.senate.gov>
To: "Ordal, Paul (EPW)" <Paul_Ordal@epw.senate.gov>, Katharine Gage/DC/USEPA/US@EPA
Cc: "Boyer, Kelly (Boxer)" <Kelly_Boyer@boxer.senate.gov>, Robert Goulding/DC/USEPA/US@EPA
Date: 09/04/2009 11:59 AM
Subject: RE: Scheduling request for Administrator Jackson and Senator Boxer

Senator Boxer just told me that she wants to have this discussion on Tuesday morning. If the Administrator is out of town, the senator said that I should ask Gina McCarthy to attend in her place, along with David McIntosh and Lisa Heinzerling.

Thanks.

From: Ordal, Paul (EPW)
Sent: Friday, September 04, 2009 11:53 AM
To: Gage.Katharine@epamail.epa.gov
Cc: Boyer, Kelly (Boxer); 'Goulding.Robert@epamail.epa.gov'
Subject: RE: Scheduling request for Administrator Jackson and Senator Boxer

Katharine,

Any updates on this?

Thanks.

-Paul

From: Boyer, Kelly (Boxer) [mailto:Kelly_Boyer@boxer.senate.gov]
Sent: Thursday, September 03, 2009 11:07 AM
To: Ordal, Paul (EPW); 'Goulding.Robert@epamail.epa.gov'; Gage.Katharine@epamail.epa.gov
Subject: RE: Scheduling request for Administrator Jackson and Senator Boxer

Senator Boxer can do Thursday, Sept. 10 at 10 or 10:30 Am or after 3:30 PM.

Kelly Boyer
Director of Scheduling/Executive Assistant to U.S. Senator Barbara Boxer
112 Hart Senate Building
Washington, DC 20510
(202)-224-8106
Want to stay connected to Senator Boxer? Click here!
From: Ordal, Paul (EPW) [mailto:Paul_Ordal@epw.senate.gov]
Sent: Thursday, September 03, 2009 11:05 AM
To: 'Goulding.Robert@epamail.epa.gov'
Cc: Boyer, Kelly (Boxer)
Subject: Re: Scheduling request for Administrator Jackson and Senator Boxer

I am copying Kelly Boyer, Senator Boxer's scheduler, to help coordinate a time that works next week.

Thanks.

From: Goulding.Robert@epamail.epa.gov <Goulding.Robert@epamail.epa.gov>
To: Ordal, Paul (EPW)
Sent: Wed Sep 02 18:12:02 2009
Subject: Re: Scheduling request for Administrator Jackson and Senator Boxer
Paul,

I think Administrator Jackson is traveling for a press event that day. Do you have other options, or can I put your scheduler in touch with ours?

From: "Ordal, Paul (EPW)" [Paul_Ordal@epw.senate.gov]
Sent: 09/02/2009 05:40 PM AST
To: Robert Goulding
Subject: Scheduling request for Administrator Jackson and Senator Boxer

Chairman Boxer asked me to schedule a meeting with Administrator Jackson next Tuesday, September 8 in Hart 112 at 10:00am. The meeting is to discuss the Clean Air Act and Global Warming.

We have also asked Carol Browner to attend.

Will this work for Administrator Jackson?

Thanks.

Paul M. Ordal
U.S. Senate Committee on Environment and Public Works
Senator Barbara Boxer, Chairman
202-224-8832
202-224-1273 FAX
P Please consider the environment before printing this e-mail

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Seth Oster/OU=DC/O=USEPA/C=US
Sent: Fri 9/4/2009 7:03:54 PM
Subject: Re: Air Issues Rollout -- PSD, Autos and Ozone

Hi. Wanted to respond briefly -- let me know if you want me to come down before the end of the day to talk in-person, because this probably will require you driving a plan of action early next week to get this done.

Deliberative

More importantly are the next steps. For us to get this in front of the NY Times by mid-week next week for consideration, we need some clarity on OMB timing. You are right to begin using the op-ed itself to get the WH comfortable -- that was, in fact, one of the ideas behind it. What are the next steps? Who should lead?

Seth

Seth Oster
Associate Administrator
Office of Public Affairs
Environmental Protection Agency
(202) 564-1918
oster.seth@epa.gov

From: Richard Windsor/DC/USEPA/US
To: Seth Oster/DC/USEPA/US@EPA
Cc: Gina McCarthy/DC/USEPA/US@EPA, Lisa Heinzerling/DC/USEPA/US@EPA, Diane Thompson/DC/USEPA/US@EPA, David McIntosh/DC/USEPA/US@EPA, Allyn Brooks-LaSure/DC/USEPA/US@EPA
Date: 09/04/2009 06:43 AM
Subject: Re: Air Issues Rollout -- PSD, Autos and Ozone

The strategy is great. Thanks so much for your hard work on this!

The op-ed is great (though I have a few comments belows). Once finalized, perhaps Diane and I and Gina should get it to policy, political and communications types in the WH (not sure about OMB?) It will likely give them comfort.

A few comments on the op-ed. I know you are trying to keep it accessible but is it accurate to say the Supreme Ct ruled that greenhouse gases pose a danger to the health of Americans? That's stronger than my previous messaging in interviews where I say they ordered us to face the issue head-on.

Second, I am a mom and not gonna hock high calorie, high fat foods. I think we can cite middle schools (great places for learning) and coffee instead of donuts at the Double D. Finally, what about changing the last 2 words to "is underway"? Just a thought.

Tx, Lj

----- Original Message -----

From: Seth Oster

Sent: 09/03/2009 06:26 PM EDT

To: Richard Windsor

Cc: Gina McCarthy; Lisa Heinzerling; Diane Thompson; David McIntosh; Allyn Brooks-LaSure

Subject: Air Issues Rollout -- PSD, Autos and Ozone

Hi Administrator.

We need to make a few key decisions on the path forward on communicating the proposed PSD and Autos rules-- which, if dates hold, would be the week after next. Gina, Lisa, David, Diane and I and others have been meeting and talking regularly about the strategy below, which you and I have also discussed in several conversations.

The purpose here is to provide you with (1) the summary plan, (2) an op-ed for your review and (3) to identify the challenges/tasks next week in getting going.

The op-ed is attached below and following is a summary of the objectives and strategy.

Objectives

Deliberative

Strategy:

Deliberative

Challenges

Deliberative

[attachment "op.ed10.doc" deleted by Richard Windsor/DC/USEPA/US]

Seth Oster
Associate Administrator
Office of Public Affairs
Environmental Protection Agency
(202) 564-1918
oster.seth@epa.gov

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US
Sent: Fri 9/4/2009 8:30:23 PM
Subject: Johnson memo FR notice
PSD Interp Memo Recon 9-4-09 clean.doc

Lisa,

I'm attaching for your review the final version of the FR notice on reconsideration of the Johnson memo. As I mentioned at the morning meeting the other day, there is a status conference on the litigation over the Johnson memo this coming Tuesday, September 8, and OGC/DOJ would very much like to report then that we have sent our FR notice to OMB for review.

Have a good weekend. (I mean this sincerely, even though I realize I've just asked you to review a pretty dry document -- on PSD, no less -- over the weekend.)

Lisa

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA;"David McIntosh" [mcintosh.david@epa.gov]; David McIntosh" [mcintosh.david@epa.gov]; Gina (Sheila) McCarthy" [mccarthy.gina@epa.gov]
From: CN=David McIntosh/OU=DC/O=USEPA/C=US
Sent: Sat 9/5/2009 12:39:11 AM
Subject: Re: Ghgs

Deliberative

----- Original Message -----

From: Richard Windsor
Sent: 09/04/2009 08:20 PM EDT
To: "David McIntosh" <mcintosh.david@epa.gov>; "Gina (Sheila) McCarthy" <mccarthy.gina@epa.gov>
Subject: Fw: Ghgs

Deliberative

----- Original Message -----

From: Richard Windsor
Sent: 09/04/2009 08:17 PM EDT
To: Gina McCarthy; "David McIntosh" <mcintosh.david@epa.gov>
Subject: Re: Ghgs

Deliberative

----- Original Message -----

From: Gina McCarthy
Sent: 09/04/2009 03:26 PM EDT
To: Richard Windsor; "David McIntosh" <McIntosh.David@EPA.GOV>
Subject: Ghgs

I just gave David a heads up that signals are being sent thru Jody and Heather, that Carol is looking to get a CAA ghg strategy teed up to the President to be integrated into a speech he is giving to the UN later this month. Apparently everyone is sticking a fork in the idea that legislation will pass this year. Everyone is beginning to look for other ways the US can articulate clear commitments going into Copenhagen. My sense is that Carol considers this a good opt to get a high level commitment on a regulatory strategy.

I can give you more details but both David and I believe that this is good news.

OAR has been preparing a memo outlining CAA ghg options for you to consider for a few weeks now. I can send that to you, David, Lisa and Bob on Sunday in case you want to start thinking about this more. My hope is that it could form the basis for any discussions with or recommendations to Carol. I would also like to use this in staff-level discussions with Jody and Heather if and when you have decided we should move this strategy ahead. I am on my cell if you need me.

To: "Richard Windsor" [Windsor.Richard@epamail.epa.gov]
From: CN=Diane Thompson/OU=DC/O=USEPA/C=US
Sent: Sat 9/5/2009 4:00:01 AM
Subject: Fw: EMBARGOED: Weekly Address: President Obama Announces New Initiatives for Retirement Savings
[EMBARGOED until 6am 9-5-2009 Retirement Savings Fact Sheet.pdf](#)
[EMBARGOED until 6am 9-5-2009 IRS Guidance.pdf](#)
[HERE](#)
www.whitehouse.gov

Fyi

From: "Milakofsky, Benjamin E." [Personal Privacy]
Sent: 09/04/2009 01:03 PM AST
To: "Lu, Christopher P." [Personal Privacy] "Smith, Elizabeth S."
[Personal Privacy] "Kimball, Astri B." [Personal Privacy] "Hurlbut,
Brandon K." [Personal Privacy] "French, Michael J."
[Personal Privacy] "Taylor, Adam R." [Personal Privacy] "Milakofsky,
Benjamin E." [Personal Privacy]
Subject: EMBARGOED: Weekly Address: President Obama Announces New Initiatives for Retirement Savings

Dear Chiefs of Staff:

Please see the text of the President's weekly address on retirement savings.

--Cabinet Affairs

THE WHITE HOUSE

Office of the Press Secretary

EMBARGOED UNTIL 6:00 AM ET, SATURDAY, September 5, 2009

WEEKLY ADDRESS: President Obama Announces New Initiatives for Retirement Savings

WASHINGTON – In this week’s address, President Barack Obama will announce new steps to make it easier for American families to save for retirement. These new initiatives will complement the president’s major legislative proposals to boost participation in IRAs and match retirement savings.

The new initiatives will:

- Expand opportunities for automatic enrollment in 401(k) and other retirement savings plans,
- Make it easier for more than 100 million families to save a portion or all of their tax refunds,
- Enable workers to convert their unused vacation or other similar leave into additional retirement savings, and
- Help workers and their employers better understand the available options for tax-favored retirement saving through clear, easy-to-understand language.

Together, these steps will expand the range of choices for workers who want to save and will make saving easier for millions of Americans.

Attached is a fact sheet that outlines the new initiatives for retirement savings. The fact sheet will be live on the website at 6AM tomorrow morning.

The full audio of the address is [HERE](#). The video can be viewed online at www.whitehouse.gov.

Remarks of President Barack Obama

Weekly Address

Saturday, September 5, 2009

As we spend time with family and friends this Labor Day weekend, many of us will also be thinking about the state of working America. Yesterday, we received a report showing that job losses have slowed dramatically compared to just a few months ago. Earlier in the week, we learned that the manufacturing sector has posted its first gains in eighteen months, and that many of the banks that borrowed money at the height of the financial crisis are now

returning it to taxpayers with interest.

These are only the most recent signs that the economy is turning around, though these signs are little comfort to those who've experienced the pain of losing a job in the previous month, or in the previous two years of this recession. That's why it is so important that we remain focused on speeding our economic recovery. Throughout America today, tens of thousands of recovery projects are underway, repairing our nation's roads, bridges, ports and waterways; renovating schools; and developing renewable energy. We're putting Americans back to work doing to the work America needs done – and mostly in private sector jobs.

But even as we take aggressive steps to put people back to work, it is also important that we keep faith with men and women looking back on a lifetime of labor; hard-working Americans who deserve to know that their efforts have resulted in a secure future, including a secure retirement. For this recession has not only led to the loss of jobs, but also the loss of savings. The drop in home values, for example, has also meant a drop in the value of the largest single investment most families have. And the decline in the financial markets has led to a decline in the value of 401(k)s and other sources of savings and retirement security. As a result, over the past two years, the American people have lost about \$2 trillion in retirement savings.

This carries a painful toll. I've heard from so many who've had to put off retirement, or come out of retirement, to make ends meet. I've heard from seniors who worked hard their whole lives but now, in their golden years, are unsure of where to turn to pay the bills, afford the prescriptions, or keep the home in which they raised a family. And having too little in savings not only leaves people financially ill-prepared for retirement, but also for whatever challenges life brings. It places in jeopardy so many dreams, from owning a home to attending college.

The fact is, even before this recession hit, the savings rate was essentially zero, while borrowing had risen and credit card debt had increased. Many were simply struggling to stay afloat as incomes were stagnant – or falling – and jobs were scarce; that's important to remember. But there were also those who spent beyond their means. And more broadly, tens of millions of families have been, for a variety of reasons, unable to put away enough money for a secure retirement. Half of America's workforce doesn't have access to a retirement plan at work. And fewer than 10 percent of those without workplace retirement plans have one of their own.

We cannot continue on this course. And we certainly cannot go back to an economy based on inflated profits and maxed-out credit cards; the cycles of speculative booms and painful busts; a system that put the interests of the short-term ahead of the needs of long-term. We have to revive this economy and rebuild it stronger than before. And making sure that folks have the opportunity and incentive to save – for a home or college, for retirement or a rainy day – is essential to that effort. If you work hard and meet your responsibilities, this country is going to honor our collective responsibility to you: to ensure that you can save and secure your retirement. That is why we are announcing several common-sense changes that will help families put away money for the future.

First, we're going to make it easier for small businesses to do what large businesses do: allow workers to automatically enroll in a 401(k) or an individual retirement account. We know that automatic enrollment has made a big difference in participation rates by making it simpler for workers to save – and that's why we're going to

expand it to more people.

Second, we'll make it easier for people to save their federal tax refunds, which 100 million families receive. Today, if you have a retirement account, you can have your refund deposited directly into your account. With this change, we'll make it easier for those without retirement plans to save their refunds as well. You'll be able to check a box on your tax return to receive your refund as a savings bond.

Third, we'll make it possible for employees to put payments for unused vacation and sick days into their retirement plan if they wish. Right now, most workers don't have that option.

And fourth, the IRS and the Treasury Department are creating a plain-English, easy-to-follow guide, as well as a website, to help folks navigate what are often very complicated waters, especially for workers changing jobs who often are unsure how best to continue saving for retirement. Because the rules ought to be written to encourage people to save – instead of discouraging them.

We'll also build on these steps by working with Congress. As part of my budget, I've proposed ensuring that nearly every American has access to a retirement savings account through his or her job. This plan would make it possible for workers to automatically enroll in IRAs through payroll contributions. And the budget simplifies and expands a tax credit for millions of families, matching half of a family's savings up to \$1,000 per year and depositing the tax credit directly into a retirement account.

This is a difficult time for our country. But I am confident that we can meet the challenges we face and leave behind something better; that we are ready to take responsibility for our future once again – as individuals and as a nation. I hope that all of you have the chance to enjoy this Labor Day weekend with family and friends. But my larger hope and expectation is that next Labor Day, the economic storms we're weathering now will have given way to brighter and more prosperous times.

Thank you.

To: CN=Gina McCarthy/OU=DC/O=USEPA/C=US@EPA[]
Cc: "Lisa Heinzerling" [Heinzerling.Lisa@EPA.GOV]; David McIntosh" [McIntosh.David@EPA.GOV]; Bob Sussman" [Sussman.bob@EPA.GOV]; Richard Windsor" [Windsor.Richard@epamail.epa.gov]
From: CN=Bob Sussman/OU=DC/O=USEPA/C=US
Sent: Mon 9/7/2009 2:45:56 PM
Subject: Re: Fw: electronic copy -- draft caa-ghg strategy document & related heads-up

Gina -- There's a lot of substance to chew on here. What is your thinking on how much we would say at the time we announce the car and PSD tailoring proposals? I can envision a fairly general document as part of the proposal packages, with more detail down-the-road depending on how the legislative situation evolves. What's your vision?

Robert M. Sussman
Senior Policy Counsel to the Administrator
Office of the Administrator
US Environmental Protection Agency

From: Gina McCarthy/DC/USEPA/US
To: "Richard Windsor" <Windsor.Richard@epamail.epa.gov>, "David McIntosh" <McIntosh.David@EPA.GOV>
Cc: "Lisa Heinzerling" <Heinzerling.Lisa@EPA.GOV>, "Bob Sussman" <Sussman.bob@EPA.GOV>
Date: 09/06/2009 01:11 PM
Subject: Fw: electronic copy -- draft caa-ghg strategy document & related heads-up

I know this is more than you need to know, but attached is a cover memo with details laid out in additional attachments, on the actions that EPA could take to jump- start and complement the efforts anticipated in comprehensive climate legislation.

These documents represent an effort that OAR staff have been working on for quite some time. While there are a few open questions to answer, some useful clarifications to be made and a typo or two to correct, I believe it is a serious and well thought out strategy.

Deliberative

I am available for a call or mtg anytime - of course.

----- Original Message -----

From: Jim Ketcham-Colwill
Sent: 09/04/2009 05:25 PM EDT
To: Gina McCarthy
Cc: Shela Poke-Williams
Subject: electronic copy -- draft caa-ghg strategy document & related heads-up
Gina,

Shela let me know you'd like an electronic copy of the document I gave you in hard copy. It is attached. Please let us know whether or not this is in the ballpark of what you envisioned, and where it falls short. We're prepared to work further on the substance, or on the way that it is conveyed, after getting your feedback.

The attached strategy document, and in particular the overview, was intended for an internal interagency audience.

Deliberative

Here is the strategy document (composed of 5 separate files). Please keep in mind that parts of this have not been properly reviewed yet, since we were awaiting your feedback and go-ahead for further review.

[attachment "CAA GHG path forward 9-1-09 noon NEW EDITS.doc" deleted by Bob Sussman/DC/USEPA/US]
[attachment "Attachment -- actions to date.doc" deleted by Bob Sussman/DC/USEPA/US] [attachment "Timeline GHG reg. drivers1.1.ppt" deleted by Bob Sussman/DC/USEPA/US] [attachment "Comparison of NSPS and PSD 8-31 version v3.ppt" deleted by Bob Sussman/DC/USEPA/US] [attachment "Mobile_Source_GHG_Strategy sept2.doc" deleted by Bob Sussman/DC/USEPA/US]

FYI -- more externally oriented 2-pager (this is an early draft of the strategy intro that is more similar to your piece -- a few key points would need to be added into this document, along with any info on potential future use of the CAA that we wish to included in communications docs).

[attachment "opening -- narrative version.doc" deleted by Bob Sussman/DC/USEPA/US]

Have a great holiday weekend!. See you Tuesday -- Jim

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: CN=David McIntosh/OU=DC/O=USEPA/C=US@EPA;CN=Lisa
Heinzerling/OU=DC/O=USEPA/C=US@EPA[]; N=Lisa
Heinzerling/OU=DC/O=USEPA/C=US@EPA[]
From: CN=Bob Sussman/OU=DC/O=USEPA/C=US
Sent: Mon 9/7/2009 3:51:18 PM
Subject: Fw: electronic copy -- draft caa-ghg strategy document & related heads-up

Wanted to make sure you had Gina's response.

Robert M. Sussman
Senior Policy Counsel to the Administrator
Office of the Administrator
US Environmental Protection Agency
----- Forwarded by Bob Sussman/DC/USEPA/US on 09/07/2009 11:49 AM -----

From: Gina McCarthy/DC/USEPA/US
To: Bob Sussman/DC/USEPA/US@EPA
Date: 09/07/2009 10:56 AM
Subject: Re: Fw: electronic copy -- draft caa-ghg strategy document & related heads-up

Deliberative

----- Original Message -----

From: Bob Sussman
Sent: 09/07/2009 10:45 AM EDT
To: Gina McCarthy
Cc: "Lisa Heinzerling" <Heinzerling.Lisa@EPA.GOV>; "David McIntosh" <McIntosh.David@EPA.GOV>;
"Bob Sussman" <Sussman.bob@EPA.GOV>; Richard Windsor
Subject: Re: Fw: electronic copy -- draft caa-ghg strategy document & related heads-up
Gina -- There's a lot of substance to chew on here. What is your thinking on how much we would say at
the time we announce the car and PSD tailoring proposals? I can envision a fairly general document as
part of the proposal packages, with more detail down-the-road depending on how the legislative situation
evolves. What's your vision?

Robert M. Sussman
Senior Policy Counsel to the Administrator
Office of the Administrator
US Environmental Protection Agency

From: Gina McCarthy/DC/USEPA/US
To: "Richard Windsor" <Windsor.Richard@epamail.epa.gov>, "David McIntosh"
<McIntosh.David@EPA.GOV>
Cc: "Lisa Heinzerling" <Heinzerling.Lisa@EPA.GOV>, "Bob Sussman" <Sussman.bob@EPA.GOV>
Date: 09/06/2009 01:11 PM
Subject: Fw: electronic copy -- draft caa-ghg strategy document & related heads-up

Deliberative

These documents represent an effort that OAR staff have been working on for quite some time. While there are a few open questions to answer, some useful clarifications to be made and a typo or two to correct, I believe it is a serious and well thought out strategy.

It could not only form the basis for discussions on EPA's overall ghg strategy in response to numerous court actions and petitions that are challenging our commitment and legal obligation to regulate GHGs, it could provide the foundation of a US international position in the event that comprehensive legislation does not pass.

I am available for a call or mtg anytime - of course.

----- Original Message -----

From: Jim Ketcham-Colwill

Sent: 09/04/2009 05:25 PM EDT

To: Gina McCarthy

Cc: Shela Poke-Williams

Subject: electronic copy -- draft caa-ghg strategy document & related heads-up

Gina,

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Deliberative

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[attachment "Attachment -- actions to date.doc" deleted by Bob Sussman/DC/USEPA/US] [attachment "Timeline

GHG reg. drivers1.1.ppt" deleted by Bob Sussman/DC/USEPA/US] [attachment "Comparison of NSPS and PSD 8-31 version v3.ppt" deleted by Bob Sussman/DC/USEPA/US] [attachment "Mobile_Source_GHG_Strategy sept2.doc" deleted by Bob Sussman/DC/USEPA/US]

FYI -- more externally oriented 2-pager (this is an early draft of the strategy intro that is more similar to your piece -- a few key points would need to be added into this document, along with any info on potential future use of the CAA that we wish to included in communications docs).
[attachment "opening -- narrative version.doc" deleted by Bob Sussman/DC/USEPA/US]

Have a great holiday weekend!. See you Tuesday -- Jim

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US
Sent: Tue 9/8/2009 12:11:59 PM
Subject: Johnson memo FR notice

Are you ok with the Federal Register notice on the Johnson memo, which I sent to you on Friday?

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
From: CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US
Sent: Tue 9/8/2009 1:23:14 PM
Subject: Re: Johnson memo FR notice

Great. Thanks.

----- Original Message -----

From: Richard Windsor
Sent: 09/08/2009 09:04 AM EDT
To: Lisa Heinzerling
Subject: Re: Johnson memo FR notice
Yes. Tx!

----- Original Message -----

From: Lisa Heinzerling
Sent: 09/08/2009 08:11 AM EDT
To: Richard Windsor
Subject: Johnson memo FR notice
Are you ok with the Federal Register notice on the Johnson memo, which I sent to you on Friday?

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
From: CN=Adora Andy/OU=DC/O=USEPA/C=US
Sent: Tue 9/8/2009 2:16:00 PM
Subject: Re: FYI: As Congress Returns, Climate Bill to Be Slowed by Health-Care Debate

AMAZING!!! I had the BEST time. You should totally go and take the kids. I will tell you all about it!

----- Original Message -----

From: Richard Windsor
Sent: 09/08/2009 09:08 AM EDT
To: Adora Andy
Subject: Re: FYI: As Congress Returns, Climate Bill to Be Slowed by Health-Care Debate
Welcome back! How was it?

----- Original Message -----

From: Adora Andy
Sent: 09/08/2009 08:55 AM EDT
To: Richard Windsor
Cc: Seth Oster
Subject: FYI: As Congress Returns, Climate Bill to Be Slowed by Health-Care Debate
WWW.NASDAQ.COM

As Congress Returns, Climate Bill To Be Slowed by Health-Care Debate

By Siobhan Hughes, Of DOW JONES NEWSWIRES

WASHINGTON -(Dow Jones)- A health-care debate threatens to keep energy and climate legislation on the back burner when the U.S. Congress returns from recess Tuesday and enters the final push of 2009.

U.S. President Barack Obama is scheduled to plead his case on health care in a joint address to Congress this week, as U.S. Senate Majority Leader Harry Reid, D-Nev., delays action on climate and energy legislation.

The Senate's top Democrat now says that climate legislation will be considered by the end of the year - a deadline that buys time to see whether Democrats will have the political strength to take up climate change after a bruising health-care fight.

"The odds change day-to-day, and some days even hour-to-hour," said David Brown, an executive in the government affairs office of electric utility Exelon Corp. "If they can come up with a healthcare package that passes sooner rather than later, our chances are better."

But if the health care debate drags on, the energy bill could get stalled by the 2010 congressional midterm elections, he added.

The Democratic party is already fractured over climate legislation. Coal, oil, and manufacturing state lawmakers have warned about the costs for their regions. Sen. Byron Dorgan, D-N.D., has said that Congress should drop its plan to hand out allowances granting the right to pollute up to a limit, or cap. Democrats from the manufacturing-heavy Midwest have warned that climate legislation must include tariffs on countries that fail to regulate greenhouse-gas emissions.

Many people believe Obama must become personally involved in order to smooth out opposition. A number of energy bill observers say that Obama has so far failed to engage on the issue in basic ways, giving opponents an opportunity to define a climate bill as a large tax on consumers. Others see signs the Obama administration is trying to signal that it is sensitive to lawmaker concerns.

"The administration is motivated and they're doing what they have to do to try to look responsive to a lot of different stakeholder groups," said Kevin Book, an analyst at ClearView Energy Partners LLC. He puts the odds of passing legislation at 60%, making Book among the most optimistic of forecasters surveyed. Among the pieces of evidence is a proposal submitted by the Environmental Protection Agency for White House review last week that suggested the agency would try to limit the reach of greenhouse-gas regulations. The message is two-fold: that the EPA is moving forward on a plan to regulate emissions,

even in the absence of congressional action, but that it hopes to make limited use of that power.

"We have absolutely no intention of regulating every school, every church," EPA Administrator Lisa Jackson said in a radio interview last week.

The widely watched deadline is for Senate action ahead of December's international climate-change talks in Copenhagen. The Copenhagen meeting is where countries will try to reach a pact on emission-reductions after 2012, when a current treaty expires.

Jackson said she hopes the U.S. will head to the talks with "a strong platform that reflects both houses' opinion."

An easier solution might be to pass a scaled-back energy package - but that could be an affront to the U.S. House of Representatives. That's because House lawmakers cast tough votes earlier this year when the chamber narrowly passed an energy and climate bill.

So far, Reid's rhetoric suggests he remains ambitious. "We must do energy legislation as a package," he said at a clean-energy summit in Las Vegas last month. He said that congressionally mandated energy-efficiency measures had been "minimal," and that the U.S. Congress needs to pass legislation that is comprehensive rather than "scattershot."

Politics in Reid's home state could be an X factor. Christine Tezak, an analyst at Robert W. Baird & Co., last week lowered the odds for a climate law this year to 10%, down from 30%. But she said in a report that if energy-related stimulus funds begin flowing to Nevada, "Sen. Reid might benefit at home from moving climate legislation forward."

-By Siobhan Hughes, Dow Jones Newswires; 202-862-6654; Siobhan.Hughes@ dowjones.com

Adora Andy
Press Secretary
U.S. Environmental Protection Agency
Office of Public Affairs
202-564-2715
andy.adora@epa.gov

To: windsor.richard@epa.gov[]
Cc: thompson.diane@epa.gov;sussman.bob@epa.gov;silva.peter@epa.gov[];
ussman.bob@epa.gov;silva.peter@epa.gov[]; ilva.peter@epa.gov[]
From: CN=Cameron Davis/OU=R5/O=USEPA/C=US
Sent: Tue 9/8/2009 2:42:48 PM
Subject: Draft Action Plan
GLRI Action Plan 09-04-2009Draft.doc

Lisa -- per our briefing with you on August 24, attached is the draft Action Plan.

You specifically requested the Executive Summary, which is on pages 4-6. From an accountability standpoint, it's also worth looking at the "Measures of Progress" tables starting on pages 20, 23, 27, 32 and 38.

Bob and Pete, this is the latest version.

Any thoughts you have by 10 a.m. Eastern time 9/11 would allow us to incorporate changes and forward the document through OW for processing by OMB's 9/14 deadline. We are refining the document continually up until submission time.

Many thanks --

Cam

Cameron Davis
Senior Advisor to the Administrator
U.S. EPA
77 W. Jackson Boulevard
Room 1901
Chicago, IL 60604
312-886-4957
davis.cameron@epa.gov

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: "Lisa Heinzerling" [heinzerling.lisa@epa.gov]; Gina (Sheila) McCarthy" [mccarthy.gina@epa.gov]; David McIntosh" [mcintosh.david@epa.gov]; Diane Thompson" [thompson.diane@epa.gov]
From: CN=Seth Oster/OU=DC/O=USEPA/C=US
Sent: Tue 9/8/2009 7:58:52 PM
Subject: Re: Spoke to Browner

Deliberative

I am supposed to talk with Anita Dunn, the WH Comms Director, at 4:30 pm about all this.

Seth

Seth Oster
Associate Administrator
Office of Public Affairs
Environmental Protection Agency
(202) 564-1918
oster.seth@epa.gov

From: Gina McCarthy/DC/USEPA/US
To: Richard Windsor/DC/USEPA/US@EPA
Cc: "Lisa Heinzerling" <heinzerling.lisa@epa.gov>, "Gina (Sheila) McCarthy" <mccarthy.gina@epa.gov>, "David McIntosh" <mcintosh.david@epa.gov>, "Seth Oster" <oster.seth@epa.gov>, "Diane Thompson" <thompson.diane@epa.gov>
Date: 09/08/2009 03:47 PM
Subject: Re: Spoke to Browner

Got it - all good news. Will talk before doing anything.

From: Richard Windsor/DC/USEPA/US

To: "Diane Thompson" <thompson.diane@epa.gov>, "Seth Oster" <oster.seth@epa.gov>, "Gina (Sheila) McCarthy" <mccarthy.gina@epa.gov>, "Lisa Heinzerling" <heinzerling.lisa@epa.gov>, "David McIntosh" <mcintosh.david@epa.gov>
Date: 09/08/2009 02:01 PM
Subject: Spoke to Browner

3 things

Deliberative

Running to mtgs.

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: "Diane Thompson" [thompson.diane@epa.gov]
From: CN=Seth Oster/OU=DC/O=USEPA/C=US
Sent: Tue 9/8/2009 8:07:15 PM
Subject: Re: Spoke to Browner

Deliberative

Seth Oster
Associate Administrator
Office of Public Affairs
Environmental Protection Agency
(202) 564-1918
oster.seth@epa.gov

From: Richard Windsor/DC/USEPA/US
To: Seth Oster/DC/USEPA/US@EPA
Cc: "Diane Thompson" <thompson.diane@epa.gov>
Date: 09/08/2009 04:05 PM
Subject: Re: Spoke to Browner

OK. But I think we need a bit of flexibility about Tuesday. Find out from Anita what news POTUS is hoping to make Tuesday. Depending on how big it is, we (or the WH) may prefer to have the op-ed run on Wednesday. And I'm not sure that would be a problem. ?

----- Original Message -----

From: Seth Oster
Sent: 09/08/2009 03:58 PM EDT
To: Richard Windsor
Cc: "Lisa Heinzerling" <heinzerling.lisa@epa.gov>; "Gina (Sheila) McCarthy" <mccarthy.gina@epa.gov>; "David McIntosh" <mcintosh.david@epa.gov>; "Diane Thompson" <thompson.diane@epa.gov>
Subject: Re: Spoke to Browner

Deliberative

Deliberative

I am supposed to talk with Anita Dunn, the WH Comms Director, at 4:30 pm about all this.

Seth

Seth Oster
Associate Administrator
Office of Public Affairs
Environmental Protection Agency
(202) 564-1918
oster.seth@epa.gov

From: Gina McCarthy/DC/USEPA/US
To: Richard Windsor/DC/USEPA/US@EPA
Cc: "Lisa Heinzerling" <heinzerling.lisa@epa.gov>, "Gina (Sheila) McCarthy" <mccarthy.gina@epa.gov>, "David McIntosh" <mcintosh.david@epa.gov>, "Seth Oster" <oster.seth@epa.gov>, "Diane Thompson" <thompson.diane@epa.gov>
Date: 09/08/2009 03:47 PM
Subject: Re: Spoke to Browner

Got it - all good news. Will talk before doing anything.

From: Richard Windsor/DC/USEPA/US
To: "Diane Thompson" <thompson.diane@epa.gov>, "Seth Oster" <oster.seth@epa.gov>, "Gina (Sheila) McCarthy" <mccarthy.gina@epa.gov>, "Lisa Heinzerling" <heinzerling.lisa@epa.gov>, "David McIntosh" <mcintosh.david@epa.gov>
Date: 09/08/2009 02:01 PM
Subject: Spoke to Browner

3 things

Deliberative

Running to mtgs.

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: "Kate Gage" [gage.katharine@epa.gov]; Lisa Heinzerling" [heinzerling.lisa@epa.gov]; Gina (Sheila) McCarthy" [mccarthy.gina@epa.gov]; Seth Oster" [oster.seth@epa.gov]; Bob Perciasepe" [Perciasepe.Bob@epamail.epa.gov]; Bob Sussman" [Sussman.bob@epa.gov]; Diane Thompson" [thompson.diane@epa.gov]
From: CN=Katharine Gage/OU=DC/O=USEPA/C=US
Sent: Wed 9/9/2009 12:21:23 AM
Subject: Re: Spoke to Carol

I just spoke to her office- it looks like Thursday will work best.

If that is too late I can try to confirm something for tomorrow morning first thing tomorrow.

Please advise who will be the +2 for this meeting.

Thank you,
Kate

From: Richard Windsor/DC/USEPA/US
To: "Bob Perciasepe" <Perciasepe.Bob@epamail.epa.gov>, "Diane Thompson" <thompson.diane@epa.gov>, "Bob Sussman" <Sussman.bob@epa.gov>, "Seth Oster" <oster.seth@epa.gov>, "Gina (Sheila) McCarthy" <mccarthy.gina@epa.gov>, "Lisa Heinzerling" <heinzerling.lisa@epa.gov>
Cc: "Kate Gage" <gage.katharine@epa.gov>
Date: 09/08/2009 07:48 PM
Subject: Spoke to Carol

Agreed to have a strategy session ASAP (in advance of a communication session.). Principals plus 2. Kate - can you re-arrnge calendar to get that scheduled tomorrow or Thurs if possible. Tx.

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
From: CN=Katharine Gage/OU=DC/O=USEPA/C=US
Sent: Wed 9/9/2009 12:50:20 PM
Subject: Re: Spoke to Carol

With the roll out plans changing would you be interested in doing this meeting directly after the green cabinet lunch today?

----- Original Message -----

From: Richard Windsor
Sent: 09/08/2009 08:35 PM EDT
To: Katharine Gage
Subject: Re: Spoke to Carol

Thurs is fine and will let you know abt the +2 tomorrow. Tx.

----- Original Message -----

From: Katharine Gage
Sent: 09/08/2009 08:21 PM EDT
To: Richard Windsor
Cc: "Kate Gage" <gage.katharine@epa.gov>; "Lisa Heinzerling" <heinzerling.lisa@epa.gov>; "Gina (Sheila) McCarthy" <mccarthy.gina@epa.gov>; "Seth Oster" <oster.seth@epa.gov>; Bob Perciasepe; "Bob Sussman" <Sussman.bob@epa.gov>; "Diane Thompson" <thompson.diane@epa.gov>
Subject: Re: Spoke to Carol

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Thank you,
Kate

From: Richard Windsor/DC/USEPA/US
To: "Bob Perciasepe" <Perciasepe.Bob@epamail.epa.gov>, "Diane Thompson" <thompson.diane@epa.gov>, "Bob Sussman" <Sussman.bob@epa.gov>, "Seth Oster" <oster.seth@epa.gov>, "Gina (Sheila) McCarthy" <mccarthy.gina@epa.gov>, "Lisa Heinzerling" <heinzerling.lisa@epa.gov>
Cc: "Kate Gage" <gage.katharine@epa.gov>
Date: 09/08/2009 07:48 PM
Subject: Spoke to Carol

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To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: "Gina (Sheila) McCarthy" [mccarthy.gina@epa.gov]
From: CN=Katharine Gage/OU=DC/O=USEPA/C=US
Sent: Wed 9/9/2009 1:47:45 PM
Subject: Re: Spoke to Carol

We can do that.

Would you be interested in doing the Browner meeting after 5:30 today if tomorrow is too full with the roll out?

----- Original Message -----

From: Richard Windsor
Sent: 09/09/2009 09:37 AM EDT
To: Katharine Gage
Cc: "Gina (Sheila) McCarthy" <mccarthy.gina@epa.gov>
Subject: Re: Spoke to Carol

I prefer to have a pre-brief with my staff today right after the lunch. - BOB S, Bob P, David M, Scott F, Diane T, Lisa H., Gina M. (+ 1 if Gina wants but needs to be high level)

----- Original Message -----

From: Katharine Gage
Sent: 09/09/2009 08:50 AM EDT
To: Richard Windsor
Subject: Re: Spoke to Carol

With the roll out plans changing would you be interested in doing this meeting directly after the green cabinet lunch today?

----- Original Message -----

From: Richard Windsor
Sent: 09/08/2009 08:35 PM EDT
To: Katharine Gage
Subject: Re: Spoke to Carol

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----- Original Message -----

From: Katharine Gage
Sent: 09/08/2009 08:21 PM EDT
To: Richard Windsor
Cc: "Kate Gage" <gage.katharine@epa.gov>; "Lisa Heinzerling" <heinzerling.lisa@epa.gov>; "Gina (Sheila) McCarthy" <mccarthy.gina@epa.gov>; "Seth Oster" <oster.seth@epa.gov>; Bob Perciasepe; "Bob Sussman" <Sussman.bob@epa.gov>; "Diane Thompson" <thompson.diane@epa.gov>
Subject: Re: Spoke to Carol

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From: Richard Windsor/DC/USEPA/US
To: "Bob Perciasepe" <Perciasepe.Bob@epamail.epa.gov>, "Diane Thompson" <thompson.diane@epa.gov>, "Bob Sussman" <Sussman.bob@epa.gov>, "Seth Oster" <oster.seth@epa.gov>, "Gina (Sheila) McCarthy" <mccarthy.gina@epa.gov>, "Lisa Heinzerling" <heinzerling.lisa@epa.gov>
Cc: "Kate Gage" <gage.katharine@epa.gov>
Date: 09/08/2009 07:48 PM
Subject: Spoke to Carol

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To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA;CN=Diane Thompson/OU=DC/O=USEPA/C=US@EPA[]; N=Diane Thompson/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=David McIntosh/OU=DC/O=USEPA/C=US
Sent: Wed 9/9/2009 2:39:59 PM
Subject: Fw: We will have our 11 am call this morning
9 9 Green Cabinet Lunch Briefing Packet 20090908.docx

----- Forwarded by David McIntosh/DC/USEPA/US on 09/09/2009 10:39 AM -----

From: "Hurlbut, Brandon K." [Personal Privacy]
To: <Nate.Turnbull@Dot.Gov>, <Brian_Screnar@ios.doi.gov>, "Gregoire, Courtney" <CGregoire@doc.gov>, <James.C.Lopez@hud.gov>, <kathryn.thomson@dot.gov>, "Kenneth Lane" <kenneth_lane@ios.doi.gov>, "Leslie, Grant" <Grant.Leslie@osec.usda.gov>, "MacDonald, Laura - OCIA" <MacDonald.Laura@dol.gov>, David McIntosh/DC/USEPA/US@EPA, "O'Connor, Rod" <Rod.Oconnor@hq.doe.gov>, "Owens, Missy" <Missy.Owens@hq.doe.gov>, "Shah, Parita" <PShah@doc.gov>, "Uzzell, Megan - ASP" <Uzzell.Megan@dol.gov>
Cc: "Agnew, David P." [Personal Privacy] "Belive, Lauren" [Personal Privacy] "Carson, Jonathan K." [Personal Privacy] "Dillon, Patrick" [Personal Privacy] "Glunz, Christine M." [Personal Privacy] "Heimbach, James T." [Personal Privacy] "Hurlbut, Brandon K." [Personal Privacy] "Lee, Hannah" <[Personal Privacy]> "Lehrich, Matthew A." [Personal Privacy] "Levine, Jacob C." [Personal Privacy] "Maher, Jessica A." <[Personal Privacy]> "McGrath, Shaun L." <[Personal Privacy]> "Morris, Jonathan G." [Personal Privacy] "Nelson, Gregory S." [Personal Privacy] "Salzman, Amelia S." [Personal Privacy] "Shah, Tarak N." <[Personal Privacy]> "Wicks, Buffy" [Personal Privacy] "Zichal, Heather R." [Personal Privacy] "Lu, Christopher P." [Personal Privacy] "Milakofsky, Benjamin E." <[Personal Privacy]>
Date: 09/09/2009 10:01 AM
Subject: We will have our 11 am call this morning

We will have a short call today to give you the heads up on what will take place at the noon Energy Cabinet meeting. Attached is an electronic version of the briefing packet that your Cabinet member will receive.

We hope to have a longer in-person meeting on Friday to discuss follow up from our visits to your agencies.

Brandon Hurlbut
Deputy Director, Cabinet Affairs
Direct: [Personal Privacy]
Cell: [Personal Privacy]

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA;CN=Diane Thompson/OU=DC/O=USEPA/C=US@EPA;CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US@EPA;CN=Gina McCarthy/OU=DC/O=USEPA/C=US@EPA[]; N=Diane Thompson/OU=DC/O=USEPA/C=US@EPA;CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US@EPA;CN=Gina McCarthy/OU=DC/O=USEPA/C=US@EPA[]; N=Lisa Heinzerling/OU=DC/O=USEPA/C=US@EPA;CN=Gina McCarthy/OU=DC/O=USEPA/C=US@EPA[]; N=Gina McCarthy/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Seth Oster/OU=DC/O=USEPA/C=US
Sent: Wed 9/9/2009 2:41:58 PM
Subject: Sutley Interview with CQ

Just FYI....on the daily WH call today, they mentioned that Nancy Sutley is doing an interview today with Congressional Quarterly on the administration's expectations at Copenhagen.

In case you want to probe this at the meeting tomorrow with Carol.

Seth

Seth Oster
Associate Administrator
Office of Public Affairs
Environmental Protection Agency
(202) 564-1918
oster.seth@epa.gov

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA;CN=Gina
McCarthy/OU=DC/O=USEPA/C=US@EPA;CN=Scott
Fulton/OU=DC/O=USEPA/C=US@EPA;CN=David
McIntosh/OU=DC/O=USEPA/C=US@EPA;CN=Seth
Oster/OU=DC/O=USEPA/C=US@EPA;CN=Bob Sussman/OU=DC/O=USEPA/C=US@EPA[];
N=Gina McCarthy/OU=DC/O=USEPA/C=US@EPA;CN=Scott
Fulton/OU=DC/O=USEPA/C=US@EPA;CN=David
McIntosh/OU=DC/O=USEPA/C=US@EPA;CN=Seth
Oster/OU=DC/O=USEPA/C=US@EPA;CN=Bob Sussman/OU=DC/O=USEPA/C=US@EPA[];
N=Scott Fulton/OU=DC/O=USEPA/C=US@EPA;CN=David
McIntosh/OU=DC/O=USEPA/C=US@EPA;CN=Seth
Oster/OU=DC/O=USEPA/C=US@EPA;CN=Bob Sussman/OU=DC/O=USEPA/C=US@EPA[];
N=David McIntosh/OU=DC/O=USEPA/C=US@EPA;CN=Seth
Oster/OU=DC/O=USEPA/C=US@EPA;CN=Bob Sussman/OU=DC/O=USEPA/C=US@EPA[];
N=Seth Oster/OU=DC/O=USEPA/C=US@EPA;CN=Bob
Sussman/OU=DC/O=USEPA/C=US@EPA[]; N=Bob Sussman/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US
Sent: Wed 9/9/2009 4:57:19 PM
Subject: timing of GHG reporting rule

OMB reports that it is possible they could clear the mandatory reporting rule by next Monday or Tuesday. This particular rule hasn't been a topic in our discussions on timing and roll-out. Do we have a plan for this rule as far as timing and roll-out are concerned?

To: CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US@EPA[]
Cc: CN=Bob Sussman/OU=DC/O=USEPA/C=US@EPA;CN=Gina
McCarthy/OU=DC/O=USEPA/C=US@EPA;CN=Richard
Windsor/OU=DC/O=USEPA/C=US@EPA;CN=Scott
Fulton/OU=DC/O=USEPA/C=US@EPA;CN=Seth Oster/OU=DC/O=USEPA/C=US@EPA[];
N=Gina McCarthy/OU=DC/O=USEPA/C=US@EPA;CN=Richard
Windsor/OU=DC/O=USEPA/C=US@EPA;CN=Scott
Fulton/OU=DC/O=USEPA/C=US@EPA;CN=Seth Oster/OU=DC/O=USEPA/C=US@EPA[];
N=Richard Windsor/OU=DC/O=USEPA/C=US@EPA;CN=Scott
Fulton/OU=DC/O=USEPA/C=US@EPA;CN=Seth Oster/OU=DC/O=USEPA/C=US@EPA[];
N=Scott Fulton/OU=DC/O=USEPA/C=US@EPA;CN=Seth
Oster/OU=DC/O=USEPA/C=US@EPA[]; N=Seth Oster/OU=DC/O=USEPA/C=US@EPA[]
From: CN=David McIntosh/OU=DC/O=USEPA/C=US
Sent: Wed 9/9/2009 5:01:01 PM
Subject: Re: timing of GHG reporting rule

From a Congressional perspective, the sooner the better. And my two cents on the broader question is that it might be nice to have the MRR signed on the same day as the light-duty vehicle rule.

From: Lisa Heinzerling/DC/USEPA/US
To: Richard Windsor/DC/USEPA/US@EPA, Gina McCarthy/DC/USEPA/US@EPA, Scott
Fulton/DC/USEPA/US@EPA, David McIntosh/DC/USEPA/US@EPA, Seth Oster/DC/USEPA/US@EPA, Bob
Sussman/DC/USEPA/US@EPA
Date: 09/09/2009 12:57 PM
Subject: timing of GHG reporting rule

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To: CN=David McIntosh/OU=DC/O=USEPA/C=US@EPA[]
Cc: CN=Bob Sussman/OU=DC/O=USEPA/C=US@EPA;CN=Gina
McCarthy/OU=DC/O=USEPA/C=US@EPA;CN=Lisa
Heinzerling/OU=DC/O=USEPA/C=US@EPA;CN=Richard
Windsor/OU=DC/O=USEPA/C=US@EPA;CN=Scott Fulton/OU=DC/O=USEPA/C=US@EPA[];
N=Gina McCarthy/OU=DC/O=USEPA/C=US@EPA;CN=Lisa
Heinzerling/OU=DC/O=USEPA/C=US@EPA;CN=Richard
Windsor/OU=DC/O=USEPA/C=US@EPA;CN=Scott Fulton/OU=DC/O=USEPA/C=US@EPA[];
N=Lisa Heinzerling/OU=DC/O=USEPA/C=US@EPA;CN=Richard
Windsor/OU=DC/O=USEPA/C=US@EPA;CN=Scott Fulton/OU=DC/O=USEPA/C=US@EPA[];
N=Richard Windsor/OU=DC/O=USEPA/C=US@EPA;CN=Scott
Fulton/OU=DC/O=USEPA/C=US@EPA[]; N=Scott Fulton/OU=DC/O=USEPA/C=US@EPA[]
From: CN=Seth Oster/OU=DC/O=USEPA/C=US
Sent: Wed 9/9/2009 5:09:10 PM
Subject: Re: timing of GHG reporting rule

I think we need to discuss how this can or should fit into the other announcements -- PSD and autos -- particularly given the new wrinkle of the POTUS speech on Sept. 21/22. It may be worthwhile exploring if this can fit in with those, especially in the op-ed.

Seth Oster
Associate Administrator
Office of Public Affairs
Environmental Protection Agency
(202) 564-1918
oster.seth@epa.gov

From: David McIntosh/DC/USEPA/US
To: Lisa Heinzerling/DC/USEPA/US@EPA
Cc: Bob Sussman/DC/USEPA/US@EPA, Gina McCarthy/DC/USEPA/US@EPA, Richard
Windsor/DC/USEPA/US@EPA, Scott Fulton/DC/USEPA/US@EPA, Seth Oster/DC/USEPA/US@EPA
Date: 09/09/2009 01:01 PM
Subject: Re: timing of GHG reporting rule

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From: Lisa Heinzerling/DC/USEPA/US
To: Richard Windsor/DC/USEPA/US@EPA, Gina McCarthy/DC/USEPA/US@EPA, Scott
Fulton/DC/USEPA/US@EPA, David McIntosh/DC/USEPA/US@EPA, Seth Oster/DC/USEPA/US@EPA, Bob
Sussman/DC/USEPA/US@EPA
Date: 09/09/2009 12:57 PM
Subject: timing of GHG reporting rule

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To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Betsaida Alcantara/OU=DC/O=USEPA/C=US
Sent: Wed 9/9/2009 7:29:57 PM
Subject: Re: Cap and Trade in Senate Limbo as Obama Makes All-Out Push on Health Care
ClimateWire

yes. you are very much on message. I'm kinda coming to terms with the fact that we won't have a bill on the Senate floor by copenhagen, but it makes me hopeful that EPA still has a bunch of things to show-off on climate...

breaking news: plane hijacked in mexico - hijackers are demanding to speak to president Calderon (just watching on CNN)

From: Richard Windsor/DC/USEPA/US
To: Betsaida Alcantara/DC/USEPA/US@EPA
Date: 09/09/2009 03:17 PM
Subject: Re: Cap and Trade in Senate Limbo as Obama Makes All-Out Push on Health Care

I like it. You?

----- Original Message -----

From: Betsaida Alcantara
Sent: 09/09/2009 02:30 PM EDT
To: Richard Windsor

Subject: Cap and Trade in Senate Limbo as Obama Makes All-Out Push on Health Care

long article that gives an overview of where we are with climate bill. this was published on nytimes.com through climatewire. mentions you and quotes some of your stuff from Diane Rehm show....

September 8, 2009

Cap and Trade in Senate Limbo as Obama Makes All-Out Push on Health Care

By DARREN SAMUELSON of ClimateWire

President Obama's energy and global warming agenda stands at a major crossroads as lawmakers return today from their monthlong summer break amid an all-out push to pass health care legislation.

Senate Democrats originally intended to roll out their version of a cap-and-trade climate bill this week, but they have since delayed that schedule until later this month in part because of the brewing battle over health care.

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Asked last week about prospects for the Senate climate bill, White House spokesman Robert Gibbs changed the subject and instead predicted a "major push" from Obama and Congress to pass a bill that heads off any future financial crisis.

"I think that will be a very important part of the legislative agenda moving forward in the fall in strong hopes that by the end of the year we have new rules of the road going forward so that something like this doesn't happen under the same circumstances again," Gibbs told reporters Aug. 31.

Yet significant questions remain about just how much success can be had on financial reform, let alone the health care bill that gets center stage tomorrow night when Obama delivers a nationally televised

speech before a joint session of Congress.

All sides of the global warming debate will be watching Obama close to see if their issue even merits a mention.

"If I were betting, he'll probably slip in a line about climate change," said Jeff Holmstead, a former U.S. EPA air pollution chief for President George W. Bush. "Because there'll be some people who are core constituents who will want to see that. The political calculus is the president will need to show he's still interested."

Democrats have been juggling health care and climate change since Obama took office. Earlier this year, House Speaker Nancy Pelosi (D-Calif.) and White House chief of staff Rahm Emanuel agreed to take on both issues simultaneously, which helped result in a House-passed climate bill just before the July 4 recess.

But many moderate Democrats complained about that strategy, and sources tracking the debate say Obama's political advisers are now in agreement that the climate issue now belongs on the back burner.

Several Capitol Hill aides said last week that they were confused about their mission -- especially as they continue to get a push to act by some Obama Cabinet members and White House energy adviser Carol Browner.

"It seems like there's a little bit of a gap somewhere," said one Democratic staffer who is working on the climate bill.

U.S. EPA Administrator Lisa Jackson said last week that she did not have a problem with Congress putting its emphasis this fall on health care.

"Certainly, the Senate rightfully is spending an awful lot of time looking at that issue," Jackson said in an appearance Thursday on NPR's "The Diane Rehm Show." "Clean energy is no less important. But rightfully, they want to finish their work on health care."

"All along, we've understood that for something on the order of clean energy, but also health care, they probably needed to be done in sequence," Jackson added.

Environmentalists insist that Democrats and the White House should keep pushing for a climate bill given scientific warnings about irreversible global warming, as well as mounting international pressure headed into U.N. negotiations this December in Copenhagen.

"Congress is capable of and staffed to do more than two important things at once," said David Doniger, policy director of the Natural Resources Defense Council's climate center.

But Manik Roy of the Pew Center on Global Climate Change said that Obama and Congress need to resolve health care before anything else can get traction.

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EPA chief 'not concerned yet'

All that said, climate change legislation remains on the radar for some important committees and lawmakers.

The Senate Agriculture Committee holds a hearing tomorrow on the regulation of carbon markets, with a panel of witnesses dedicated to the views of farmers and agriculture groups. The House Select Committee on Energy Independence and Global Warming also plans a hearing Thursday with Obama's State Department climate envoy, Todd Stern, on preparations for the summit in Copenhagen, Denmark.

And later today, Senate Environment and Public Works Chairwoman Barbara Boxer (D-Calif.) and Foreign Relations Chairman John Kerry (D-Mass.) are scheduled to meet for the first time in person since the recess -- with an eye on mapping out the legislative road ahead.

The senators gave several reasons last week for why they delayed release of their legislation: Kerry's hip surgery, the death of Sen. Ted Kennedy (D-Mass.) and ongoing action in the Finance Committee to pass health care legislation.

Boxer and Kerry said they would use the extra time to "work on the final details of our bill, and to reach out to colleagues and important stakeholders."

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Senate Democrats have twice this year pushed back their schedule for acting on a climate bill. Boxer had told reporters during the House climate debate that she would introduce a bill before the August recess. But she punted on that goal shortly after the 219-212 House vote.

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"I'm not concerned yet," EPA's Jackson said on NPR. "I think the delay announced this week is understandable. It is a piece of legislation that's very complex. ... I just think it needs a little bit more time."

"You can introduce a losing bill anytime you want," added Jeremy Symons, vice president of the National Wildlife Federation. "Introducing a winning bill, however, needs to be done at the right time after the right consultations. So the new schedule doesn't change the fact that all signs are pointing to Senate action this fall."

By contrast, EPW Committee ranking member James Inhofe (R-Okla.) predicted the climate bill's demise as Democrats battle amongst themselves over a costly new program.

"The delay is emblematic of the division and disarray in the Democratic party over cap-and-trade and health care legislation, both of which are big government schemes for which the public has expressed overwhelming opposition," Inhofe said.

Seeking cover for Copenhagen

Absent additional progress on Capitol Hill, Obama will need to turn to other aspects of his environmental agenda as he prepares for the U.N. climate negotiations. Sources tracking the issue say the administration has several obvious choices, starting with the clean energy components included in the \$787 billion economic stimulus package.

Also coming soon: U.S. EPA rules to control greenhouse gas emissions from motor vehicles and power plants -- regulations that are more than a decade in the making and premised on the 2007 Supreme Court decision in *Massachusetts v. EPA*.

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To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Betsaida Alcantara/OU=DC/O=USEPA/C=US
Sent: Wed 9/9/2009 8:13:52 PM
Subject: Re: Cap and Trade in Senate Limbo as Obama Makes All-Out Push on Health Care
ClimateWire

wow, they just freed all the passengers (140) except crew ... no one harmed yet. Seems like its going to get resolved pretty quickly.

From: Richard Windsor/DC/USEPA/US
To: Betsaida Alcantara/DC/USEPA/US@EPA
Date: 09/09/2009 04:09 PM
Subject: Re: Cap and Trade in Senate Limbo as Obama Makes All-Out Push on Health Care

Yikes

----- Original Message -----

From: Betsaida Alcantara
Sent: 09/09/2009 03:29 PM EDT
To: Richard Windsor

Subject: Re: Cap and Trade in Senate Limbo as Obama Makes All-Out Push on Health Care

yes. you are very much on message. I'm kinda coming to terms with the fact that we won't have a bill on the Senate floor by copenhagen, but it makes me hopeful that EPA still has a bunch of things to show-off on climate...

breaking news: plane hijacked in mexico - hijackers are demanding to speak to president Calderon (just watching on CNN)

From: Richard Windsor/DC/USEPA/US
To: Betsaida Alcantara/DC/USEPA/US@EPA
Date: 09/09/2009 03:17 PM
Subject: Re: Cap and Trade in Senate Limbo as Obama Makes All-Out Push on Health Care

I like it. You?

----- Original Message -----

From: Betsaida Alcantara
Sent: 09/09/2009 02:30 PM EDT
To: Richard Windsor

Subject: Cap and Trade in Senate Limbo as Obama Makes All-Out Push on Health Care

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To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Diane Thompson/OU=DC/O=USEPA/C=US
Sent: Wed 9/9/2009 10:00:11 PM
Subject: Fw: Guest List for the First Lady's Box at tonight's Joint Session of Congress
<http://www.whitehouse.gov/blog/The-Speech-Tonight/>

FYI, sometime these folks are in the holding room before you go into the chamber.

Diane E. Thompson
Chief of Staff
U. S. Environmental Protection Agency
202-564-6999

----- Forwarded by Diane Thompson/DC/USEPA/US on 09/09/2009 05:59 PM -----

From: "Milakofsky, Benjamin E." [Personal Privacy]
To: "Lu, Christopher P." [Personal Privacy] "Smith, Elizabeth S."
[Personal Privacy] "Kimball, Astri B." [Personal Privacy] "Hurlbut,
Brandon K." <[Personal Privacy]> "French, Michael J."
[Personal Privacy] "Milakofsky, Benjamin E."
[Personal Privacy] "Taylor, Adam R." [Personal Privacy]
Date: 09/09/2009 05:49 PM
Subject: Guest List for the First Lady's Box at tonight's Joint Session of Congress

Dear Chiefs of Staff:

Please see the below press release of the guests seated in the First Lady's box tonight.

--Cabinet Affairs

THE WHITE HOUSE
Office of the Press Secretary

FOR IMMEDIATE RELEASE
September 9, 2009

Below is a list of Americans who will be seated in the First Lady's box during the President's remarks.
Some of these guests are featured in web videos on the WhiteHouse.gov blog:
<http://www.whitehouse.gov/blog/The-Speech-Tonight/>.

Guest List for the First Lady's Box
2009 Joint Session of Congress
September 9, 2009

Mrs. Michelle Obama

Dr. Jill Biden

Susan Sher, Assistant to the President and Chief of Staff to the First Lady

Phil Schiliro, Assistant to the President for Legislative Affairs

Marie Connolly (Washington, DC)

Marie is the owner of Stitch DC yarn shop, which she opened in June 2004. She lives on Capitol Hill with her husband and three children. Stitch DC hosted a Roundtable Discussion in May with Health and Human Services Secretary Kathleen Sebelius and Director of the White House Council on Women and Girls Tina Tchen on the struggles small businesses face in trying to provide health insurance to their employees. Marie cannot afford to provide her three employees health insurance. Under health insurance reform, Marie will be eligible for small business tax credits.

Darlene Daniels (Baltimore, MD)

Darlene has insurance through her employer, but it only goes so far. Diagnosed in 2008 with a chronic condition, Sarcoidosis, that attacks all her major organs, she's already gone through her coverage cap for the year. Darlene has had to undergo three different procedures to treat her condition, and the insurance company only paid \$400 total. When she was first diagnosed, she incurred bills totaling at least \$30,000, and while Darlene is trying to negotiate a payment plan, she fears she will be paying this off the rest of her life. Her Sarcoidosis necessitates that she see a heart and lung doctor regularly and an eye doctor three times a year, but she just can't afford it. Darlene is still waiting to see if she qualifies for medical assistance. Under health insurance reform, there will be no annual caps on coverage.

Angela Diggs (Washington, DC)

Angela Diggs has served as Project Director for Congress Heights Senior Wellness Center in Southeast Washington, DC since March 2002. The center is a partnership of the District of Columbia Office on Aging and Providence Hospital's Wellness Institute. It is located in the District's Southeast Ward 8, where longstanding health care access problems are starting to be addressed. Ms. Diggs is responsible for overall administration and management of the center. Congress Heights is considered the model for all future wellness programs in DC. Angela has been with Providence Hospital since May 1995, serving in progressively challenging positions within the Wellness Institute and Employee Health Services. Angela shared her experiences in March at the White House Forum on Health Reform.

Peter Gaytan (Alexandria, VA)

Peter Gaytan began serving as Executive Director of The American Legion Washington DC Office in April 2009. In 1991, he entered the United States Air Force. After completing initial training at Lackland Air Force Base, Texas, and Keesler AFB, Mississippi, he served as Military Protocol Liaison with the 436th Airlift Wing at Dover AFB, Delaware. He also served four years with the 512th Airlift Wing, U.S. Air Force Reserve as a Public Affairs Specialist. Originally from Norfolk, VA he and his wife, Kimberly and twins, Maria and Sebastian currently reside in Alexandria, VA.

When Peter was having stomach pain, he went to his primary care physician and was told to take Pepto-Bismol and TUMS. He later went to a Gastroenterologist who did a basic workup. After a few months of continued stomach pain, the GI specialist requested a colonoscopy. It took months for the insurance company to agree that it was necessary, stating that at Peter's age of 37, a colonoscopy was not needed. The colonoscopy was finally performed, and the doctor could not complete the procedure due to the size of the tumor. Peter's test showed that he had stage III cancer and it had spread out of Peter's colon and into the surrounding lymph nodes. He had surgery the following week, and the tumor was removed, as well as 14 inches of colon. Peter started chemotherapy shortly after his surgery, going to the Cancer Center every two weeks for five hours of chemo, and carrying a portable pump for two more days of slow drip chemo. The surgery and chemotherapy bills were not all covered by his private insurance, and Peter is still struggling to make payments. Under health insurance reform, even though he has a pre-existing condition, Peter would have security of being able to get insurance if he ever lost his current insurance.

Katie Gibson (Bozeman, MT)

Katie is a recurrent cancer survivor who shared her story when she introduced the President in August at the Town Hall in Bozeman, MT. Katie was told in 1995 that she had less than a year to live. In 1998 Katie and her husband Scott Bischke backpacked 800 miles across their beloved state of Montana. Katie had group coverage through Hewlett Packard when she and her husband decided to leave the corporation and move to Montana. Her insurance would not transfer with her if she left HP to start her own company. Due to pre-existing conditions she struggled to find new insurance but did eventually find it through a professional group, the Institute of Electrical and Electronic Engineers (IEEE). Years after they had their new insurance, they were informed that the minimum deductible was being increased from \$5000 to \$25000/year. Katie and her husband had no say in the matter, and they could not afford to pay \$25,000 a year out of pocket, so they had to search for new insurance. This was not easy for Katie as a cancer survivor, and one insurance company after another refused to cover her because they said she had a pre-existing condition. Eventually Katie found a company and was accepted into a new program. Just in case, Katie kept her old coverage for a month after the new coverage started – just to be certain the new company would cover her. Everything seemed fine, but several months later the new insurance company called to say they had changed their minds, and that Katie’s insurance had been rescinded retroactive to the beginning of the policy. So now not only did Katie not have insurance, her record indicated a long lapse in coverage. Her first health insurance company would not take her back. This situation was very stressful as she was quite ill at the time. Katie and her husband called the Montana State Insurance Commissioner’s office, and they intervened for them. Through a state-backed program, Katie is now fully covered. Under health insurance reform, rescissions are prohibited.

David “Dave” Gorman (Gaithersburg, MD)

Dave, a combat-disabled veteran of the Vietnam War, was appointed Executive Director of the 1.3 million-member Disabled American Veterans (DAV) National Service and Legislative Headquarters in Washington, DC in 1995. Dave entered the U.S. Army in 1969, serving with the 173rd Airborne Brigade, the famed "Sky Soldiers" of the Vietnam War. In October of 1969, he was wounded in action in Vietnam. Both of his legs were amputated, and Dave came back to the States and transferred into the VA Health Care System. Dave went through rehab and physical therapy and was fitted for prosthetics. Almost four decades later, he is a leader in veterans’ advocacy and continues to seek care within the VA Health Care System. Currently, Dave uses the VA Medical Center in Washington, DC. Dave is the father of five children and has five grandchildren. He and his wife, Paula, live in Gaithersburg, MD.

Vincent Keane (Washington, DC)

Vincent is President and CEO of Unity Health Care. Unity Health Care serves individuals and families in all 8 Wards of the District of Columbia through its network of medical and social services that reach residents and the homeless. Virtually all of Unity Health Care’s patients live at or below the federal poverty level. Regardless of the ability to pay, Unity Health Care continues to provide each patient with a primary care provider who offers referrals to specialist when needed. The First Lady visited Unity Health Care’s Upper Cardozo health center in June as part of her efforts to promote health reform and to announce the release of \$850 million in American Recovery and Reinvestment Act (Recovery Act) funds for capital improvements to community health centers.

Victoria “Vicki” Kennedy (Hyannis Port, MA)

Throughout his career, Senator Edward M. Kennedy fought tirelessly for affordable and accessible health care for all Americans. He called it the “cause of his life.” Nearly every health care bill passed by Congress over the last five decades was championed by Senator Kennedy. Though he didn’t achieve his dream of health care for all, Senator Kennedy expanded quality and affordable health care to millions of Americans, including children, seniors and disabled Americans. On August 25, 2009, Senator Kennedy passed away after battling brain cancer for more than a year. His wife, Vicki Kennedy, was a partner in her husband’s lifelong fight for health care reform, and shares his commitment and passion to make health care a right, and not a privilege.

In 1994, 2000, and 2006 Vicki played an active role in the re-election campaigns of her late husband, Senator Edward M. Kennedy (D-MA). She created a Massachusetts Women's Council which has served as a model for other campaigns around the country, and she remains active in her support of candidates in Massachusetts and around the country. She was a National Co-Chair of the Obama National Catholic Advisory Committee. Vicki

practiced law in the private sector until 1997, with a special emphasis on bank regulatory and commercial law and corporate strategic planning. She received a BA, magna cum laude, from Newcomb College in 1976 and a JD, summa cum laude, from the Tulane Law School in 1979. She then served as a law clerk for Judge Robert Sprecher of the U.S. Court of Appeals for the Seventh Circuit. In 1998, Vicki received an Honorary Doctor of Laws degree from the Suffolk University Law School in Boston for her service to her community. Together, the Kennedys have five children and four grandchildren.

Laura Klitzka (Green Bay, WI)

Laura is a 35-year old married mother of two with metastatic breast cancer. Laura shared her story when she introduced the President in June at the Town Hall in Green Bay, WI. Laura was first diagnosed in January 2008 and has since undergone 8 rounds of chemotherapy, a double mastectomy and 33 rounds of radiation, only for the cancer to return and spread to her bones. Laura's cancer is untreatable in the long term. She is presently taking prescription drugs to try and prevent the cancer's spread and treat the illness as a chronic condition, but ultimately her prognosis is 2 to 10 years at most. Laura has insurance coverage under her husband's employer, but the plan has a lifetime benefits limit of 1 million dollars, and Laura and her husband worry that they will reach this limit because of her expensive treatments. Laura is receiving \$1,050 a month in Social Security Disability Insurance after she was laid off from her job during her treatment. Laura estimates her family has at least \$12,000 in unpaid medical bills, and they are struggling to get by. Their budget is very tight and they've had to use a credit card to pay at least one mortgage payment so far. Laura says she doesn't want to lose their house over her illness, and while she knows she won't be able to see her children grow up, she wants to be sure the time she has left with them is quality and not spent worrying about health care bills. Under health insurance reform, lifetime benefit limits will be prohibited.

Ellen Linderman (Carrington, ND)

Ellen is a 61-year old farmer in Carrington, ND. Ellen has had several difficult experiences with health care in recent years. Ellen was initially denied health insurance coverage a few years back when she and her husband (also a farmer) had to switch from the state employee plan to private insurance. However, since she had eye surgery less than 6 months prior to switching, she was considered high risk. The issue was eventually resolved but only after she went without coverage for several months. Health insurance reform would help people like Ellen who have a pre-existing condition and need to get insurance – insurance companies can't deny people due to a pre-existing condition.

John Martineau (Hot Springs National Park, AR)

John is a 35-year old father who is working part-time and attending school part-time. John cannot afford health insurance and his four year old son, Jaxon, suffers from seizures. Jaxon is covered under CHIP, but John is uninsured and is constantly worried because he cannot afford health insurance. He runs the Organizing for America Hot Springs phone bank twice a week. He is working hard for health insurance reform so that he and other families with children who suffer from illnesses like Jaxon's won't have to go uninsured.

Dr. Wayne Myers (Waldoboro, ME)

Dr. Myers is an organic farmer and exotic farm animal rancher in Waldoboro, Maine. He is also a pediatrician by training and has been active in rural health care for many years. As a rural rancher, farmer, and former resident of many remote rural places including Alaska, he understands the health care challenges present in accessing care and affordable insurance in rural areas.

Darlyne Neff (Iowa City, IA)

Darlyne is a 75-year old retired teacher from Iowa City. She credits two operations, one for breast cancer and a second to remove a brain tumor, for extending her life. In December 2008, Darlyne organized a community meeting on health care reform at Oaknoll Retirement Community in Iowa City. As senior citizens who have health insurance and Medicare they know they are lucky to have good health coverage, but know too that others go without even basic medical care.

Sergio Olaya (Bethesda, MD)

Sergio's late mother, Clara, is an example of the urgent need for health insurance reform. Before being diagnosed with an aggressive form of brain cancer, Clara had been working at the Centers for Disease Control in getting health-related information to the growing Hispanic and Latino Communities nationwide. Unfortunately, while she was in-between federal jobs, she could not afford to pay for COBRA while also supporting Sergio thru college at the University of Delaware. Because of the high cost of COBRA, Clara was unable to maintain coverage, and ultimately fell ill and was unable to work and receive coverage. Her medical bills skyrocketed and by the time she passed away shortly thereafter, they had reached \$255,000. Sergio was ultimately forced to sell the family home to pay off all the outstanding medical bills incurred by his mother. Sergio is currently in his final semester at the University of Delaware for a degree in Political Science and minor in Sociology.

Yolanda Pena (San Antonio, TX)

The insurance crisis has had a profound effect on Yolanda's life. Yolanda had health insurance through an employer in September 2006 when her doctors discovered her brain tumor. When she had surgery a month later, they discovered that it wasn't cancerous, but they did have to remove most of it to avoid damage. She was told she would be able to return to work in 10 weeks, but it was about six months before she regained her comprehension, memory, and motor skills enough to do so. Fortunately, her employer was able to hold her job until she went back in the spring of 2007, but she soon discovered that she was unable to continue working and left in August. She and her husband looked at COBRA, but it was unaffordable. No one on the individual market would cover her without charging exorbitant premiums. To get onto her husband's plan, it would cost them an extra \$300 a month. Instead, he sets aside \$150 a month to cover her continuing medical needs like medications, doctor's visits, and MRIs. She still has some medical debt from when she was first diagnosed, but as with many people with chronic conditions, debt is just a part of her life. Under health insurance reform, Yolanda would be able to access affordable coverage in the health insurance exchange and would be eligible for subsidies to help pay for coverage.

Easter Spencer (Washington, DC)

In June, Easter discovered a lump on her breast. She called Mautner Project (a local support organization for lesbians with cancer and their loved ones for help; she is also a volunteer there) and was referred to the Capital Breast Care Center, which in turn referred her to Washington Hospital Center for a mammogram and sonogram. The good news was that they discovered the lump was non-cancerous. However, the doctors told her it should be removed, and she has no health insurance. Easter works as an administrative assistant for a real estate management company. She has four children and has eight grandchildren.

David Turner (Little Rock, AR)

David was covered under his employee plan for a year before the insurance company went back in his record and cancelled his plan retroactively on January 25, 2008, claiming that he did not disclose all of his medical history on his original form. The company cited high triglycerides and high cholesterol, which David didn't even know he had, and claimed other conditions were 'digestive disorders' unbeknownst to David. He appealed the decision, and four months later, he got a letter saying from his insurance company stating that it is irrelevant whether or not he intentionally or inadvertently failed to reveal all of his previous medical history. Under health insurance reform, rescissions are prohibited.

Travis Ulerick (Dublin, IN)

Travis is a 24-year old fire fighter/EMT for the Dublin Volunteer Fire Department in Dublin, Indiana. He started out as a firefighter and first responder for the volunteer fire department on June 28, 2000. When the fire department became the sole EMS provider for the southwestern portion of Wayne County in 2007, Travis was one of the four crew members hired to work full-time on the department's ambulance. He is currently a senior at Ball State University in Muncie, Indiana, graduated from the Tri-County Training Academy of Paramedic Science (Connersville, Indiana) in June 2009. Travis introduced the President in March at the White House Forum on Health Reform and previously he hosted a health care community discussion with other local first responders, doctors, and everyday Americans in January 2009 in the bay of Dublin's fire station.

Eric Whitaker (Chicago, IL)

Dr. Whitaker is the Executive Vice President, Strategic Affiliations and Associate Dean of Community-based Research at the University of Chicago Medical Center (UCMC). Until October, 2007, he served as Director of the Illinois Department of Public Health (IDPH). In this capacity, Dr. Whitaker oversaw an agency with a budget of \$450 million with over 1,200 employees statewide, as well as 3 laboratories and seven regional offices. Prior to his appointment, Dr. Whitaker was an attending physician in Internal Medicine at Cook County Hospital in Chicago and a member of its Collaborative Research Unit. He helped found Project Brotherhood: A Black Men's Clinic, a weekly clinic for African American men housed in Woodlawn Adult Health Center, which is affiliated with the Cook County Bureau of Health Services. In 2000, the project received the highest award accorded by the National Association of Public Hospital and Health Systems. He is an assistant professor at the University of Illinois-Chicago School of Public Health.

Nathan Wilkes (Englewood, CO)

Nathan's son, Thomas, was born with hemophilia in 2003. He shared his story when he introduced the President in August at the Town Hall in Grand Junction, CO. At the time, he and his family had high quality insurance through the high tech telecommunications company that he helped found, but when the insurance company saw Nathan's claims (ranging from a few thousand dollars to \$750,000 a year for his son), they started to increase the premiums for all the employees and their families. The company tried to find other coverage, but no other insurance company would take them with Thomas on the policy. When his son Thomas neared the \$1 million cap on his policy, Nathan searched for another option. A social worker suggested that Nathan and his wife get divorced so that she could go on Medicaid. Nathan found a way to get his son into the state's high risk pool, but it too had a \$1 million cap. Nathan paid premiums to both his company and the high-risk insurance pool. By this time, he was paying about \$25,000 out of pocket a year and still getting huge bills and threats from collection agencies. Finally, Nathan decided to form his own small business so that he could have more control over the plan selection. Fortunately, under Colorado law, coverage for small businesses prohibits permanently excluding pre-existing conditions, so he was able to get coverage for his family. But Nathan faces increasing premiums and a \$6 million lifetime cap, which he fears will be exceeded because of his son's continuing need for care. Under health reform, coverage for Nathan and his family would not include any annual or lifetime caps on benefits. Under health insurance reform, coverage for Nathan and his family would not include any annual or lifetime caps on benefits.

##

To: "Richard Windsor" [Windsor.Richard@epamail.epa.gov]
From: CN=Diane Thompson/OU=DC/O=USEPA/C=US
Sent: Wed 9/9/2009 10:27:01 PM
Subject: Fw: EXCERPTS OF THE PRESIDENT'S ADDRESS TO A JOINT SESSION OF CONGRESS TONIGHT

Fyi

From: "Milakofsky, Benjamin E." [Personal Privacy]
Sent: 09/09/2009 06:17 PM AST
To: "Lu, Christopher P." [Personal Privacy] "Smith, Elizabeth S."
[Personal Privacy] "Kimball, Astri B." [Personal Privacy] "Hurlbut,
Brandon K." <[Personal Privacy]> "French, Michael J."
[Personal Privacy] "Taylor, Adam R." <[Personal Privacy]> "Milakofsky,
Benjamin E." <[Personal Privacy]>
Subject: FW: EXCERPTS OF THE PRESIDENT'S ADDRESS TO A JOINT SESSION OF CONGRESS TONIGHT

Dear Chiefs of Staff:

Please see the below excerpts of the President's address tonight.

--Cabinet Affairs

THE WHITE HOUSE

Office of the Press Secretary

—

FOR IMMEDIATE RELEASE

September 9, 2009

EXCERPTS OF THE PRESIDENT'S ADDRESS TO A JOINT SESSION OF CONGRESS TONIGHT:

I am not the first President to take up this cause, but I am determined to be the last. It has now been

nearly a century since Theodore Roosevelt first called for health care reform. And ever since, nearly every President and Congress, whether Democrat or Republican, has attempted to meet this challenge in some way. A bill for comprehensive health reform was first introduced by John Dingell Sr. in 1943. Sixty-five years later, his son continues to introduce that same bill at the beginning of each session.

Our collective failure to meet this challenge – year after year, decade after decade – has led us to a breaking point. Everyone understands the extraordinary hardships that are placed on the uninsured, who live every day just one accident or illness away from bankruptcy. These are not primarily people on welfare. These are middle-class Americans. Some can't get insurance on the job. Others are self-employed, and can't afford it, since buying insurance on your own costs you three times as much as the coverage you get from your employer. Many other Americans who are willing and able to pay are still denied insurance due to previous illnesses or conditions that insurance companies decide are too risky or expensive to cover.

During that time, we have seen Washington at its best and its worst.

We have seen many in this chamber work tirelessly for the better part of this year to offer thoughtful ideas about how to achieve reform. Of the five committees asked to develop bills, four have completed their work, and the Senate Finance Committee announced today that it will move forward next week. That has never happened before. Our overall efforts have been supported by an unprecedented coalition of doctors and nurses; hospitals, seniors' groups and even drug companies – many of whom opposed reform in the past. And there is agreement in this chamber on about eighty percent of what needs to be done, putting us closer to the goal of reform than we have ever been.

But what we have also seen in these last months is the same partisan spectacle that only hardens the disdain many Americans have toward their own government. Instead of honest debate, we have seen scare tactics. Some have dug into unyielding ideological camps that offer no hope of compromise. Too many have used this as an opportunity to score short-term political points, even if it robs the country of our opportunity to solve a long-term challenge. And out of this blizzard of charges and counter-charges, confusion has reigned.

Well the time for bickering is over. The time for games has passed. Now is the season for action. Now is when we must bring the best ideas of both parties together, and show the American people that we can still do what we were sent here to do. Now is the time to deliver on health care.

The plan I'm announcing tonight would meet three basic goals:

It will provide more security and stability to those who have health insurance. It will provide insurance to those who don't. And it will slow the growth of health care costs for our families, our businesses, and our government. It's a plan that asks everyone to take responsibility for meeting this challenge – not just government and insurance companies, but employers and individuals. And it's a plan that incorporates ideas from Senators and Congressmen; from Democrats and Republicans – and yes, from some of my opponents in both the primary and general election.

Here are the details that every American needs to know about this plan:

First, if you are among the hundreds of millions of Americans who already have health insurance through your job, Medicare, Medicaid, or the VA, nothing in this plan will require you or your employer to change the coverage or the doctor you have. Let me repeat this: nothing in our plan requires you to change what you have.

What this plan will do is to make the insurance you have work better for you. Under this plan, it will be against the law for insurance companies to deny you coverage because of a pre-existing condition. As soon as I sign this bill, it will be against the law for insurance companies to drop your coverage when you get sick or water it down when you need it most. They will no longer be able to place some arbitrary cap on the amount of coverage you can receive in a given year or a lifetime. We will place a limit on how much you can be charged for out-of-pocket expenses, because in the United States of America, no one should go broke because they get sick. And insurance companies will be required to cover, with no extra charge, routine checkups and preventive care, like mammograms and colonoscopies – because there's no reason we shouldn't be catching diseases like breast cancer and colon cancer before they get worse. That makes sense, it saves money, and it saves lives.

That's what Americans who have health insurance can expect from this plan – more security and stability.

Now, if you're one of the tens of millions of Americans who don't currently have health insurance, the second part of this plan will finally offer you quality, affordable choices. If you lose your job or change your job, you will be able to get coverage. If you strike out on your own and start a small business, you will be able to get coverage. We will do this by creating a new insurance exchange – a marketplace where individuals and small businesses will be able to shop for health insurance at competitive prices. Insurance companies will have an incentive to participate in this exchange because it lets them compete for millions of new customers. As one big group, these customers will have greater leverage to bargain with the insurance companies for better prices and quality coverage. This is how large companies and government employees get affordable insurance. It's how everyone in this Congress gets affordable insurance. And it's time to give every American the same opportunity that we've given ourselves.

This is the plan I'm proposing. It's a plan that incorporates ideas from many of the people in this room tonight – Democrats and Republicans. And I will continue to seek common ground in the weeks ahead. If you come to me with a serious set of proposals, I will be there to listen. My door is always open.

But know this: I will not waste time with those who have made the calculation that it's better politics to kill this plan than improve it. I will not stand by while the special interests use the same old tactics to keep things exactly the way they are. If you misrepresent what's in the plan, we will call you out. And I will not accept the status quo as a solution. Not this time. Not now.

Everyone in this room knows what will happen if we do nothing. Our deficit will grow. More families will go bankrupt. More businesses will close. More Americans will lose their coverage when they are sick and need it most. And more will die as a result. We know these things to be true.

That is why we cannot fail. Because there are too many Americans counting on us to succeed – the ones who suffer silently, and the ones who shared their stories with us at town hall meetings, in emails, and in letters.

##

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Diane Thompson/OU=DC/O=USEPA/C=US
Sent: Thur 9/10/2009 5:08:55 PM
Subject: Cabinet report -- need your input

First, need message for POTUS--maybe something about today's Chesa Bay announcement -- I am pleased to report that the planning of aggressive, coordinated action called for in your Executive Order to clean up the Chesa Bay took an important step with the release this week of the agencies' draft reports outlining how we will save the Bay. Our sister agencies, especially Dept of Ag, are to be congratulated for their commitment and contribution to this effort.

Second--Below is a paragraph about TSCA for inclusion in the report, as a heads-up that the conversations are happening. It is based on Arvin's suggestion below, which I thought too long and detailed for this purpose. I doubt this will make it into the President's report, but at least some staff will get the heads-up that this is come their way.

TSCA Reform Update

Deliberative

Diane E. Thompson
Chief of Staff
U. S. Environmental Protection Agency
202-564-6999

From: Arvin Ganesan/DC/USEPA/US
To: Diane Thompson/DC/USEPA/US@EPA
Cc: Bob Sussman/DC/USEPA/US@EPA, Steve Owens/DC/USEPA/US@EPA
Date: 09/10/2009 08:32 AM
Subject: Fw: for cabinet report - edits or thoughts

Diane, a revised cabinet report is attached. Bob, I tried to tone this down from it's previous draft, but also try to capture some of the discussion from yesterday's meeting.

TSCA Reform Update

Deliberative

Deliberative

ARVIN R. GANESAN
Deputy Associate Administrator
Congressional Affairs
Office of the Administrator
United States Environmental Protection Agency
Ganesan.Arvin@epa.gov
(p) 202.564.5200
(f) 202.501.1519

----- Forwarded by Arvin Ganesan/DC/USEPA/US on 09/10/2009 08:30 AM -----

From: Bob Sussman/DC/USEPA/US
To: Arvin Ganesan/DC/USEPA/US@EPA
Cc: Steve Owens/DC/USEPA/US@EPA
Date: 09/09/2009 07:06 PM
Subject: Re: for cabinet report - edits or thoughts

Deliberative

Robert M. Sussman
Senior Policy Counsel to the Administrator
Office of the Administrator
US Environmental Protection Agency

From: Arvin Ganesan/DC/USEPA/US

To: Bob Sussman/DC/USEPA/US@EPA, Steve Owens/DC/USEPA/US@EPA
Date: 09/09/2009 06:25 PM
Subject: Re: for cabinet report - edits or thoughts

Diane wanted this cabinet affairs blurb updated in light of what was said in the meeting today. I'm not quite sure what that means so I tried to summarize what I heard with the Administrator. Thoughts?

TSCA Reform Update

Deliberative

These principles also demonstrate American leadership. Other countries, including Canada, and the EU, have enacted new chemical policy programs. The United States needs to also create a regulatory framework that incentivizes safe chemicals, or we cede that market position to countries that have active chemical management regimens.

ARVIN R. GANESAN
Deputy Associate Administrator
Congressional Affairs
Office of the Administrator
United States Environmental Protection Agency
Ganesan.Arvin@epa.gov
(p) 202.564.5200
(f) 202.501.1519

From: Diane Thompson/DC/USEPA/US
To: Arvin Ganesan/DC/USEPA/US@EPA
Date: 09/09/2009 04:15 PM
Subject: Re: for cabinet report - edits or thoughts

I think this needs to be revised in light of what we just discussed?
Also, is it really just household.?

Diane E. Thompson
Chief of Staff
U. S. Environmental Protection Agency
202-564-6999

From: Arvin Ganesan/DC/USEPA/US
To: Diane Thompson <thompson.diane@epa.gov>
Cc: Bob Sussman/DC/USEPA/US@EPA, Steve Owens/DC/USEPA/US@EPA
Date: 09/08/2009 08:18 PM
Subject: for cabinet report - edits or thoughts

Diane,
Below is a blurb for the cabinet report on TSCA. Thoughts or edits?

TSCA Reform Update

Deliberative

ARVIN R. GANESAN
Deputy Associate Administrator
Congressional Affairs
Office of the Administrator
United States Environmental Protection Agency
Ganesan.Arvin@epa.gov
(p) 202.564.5200
(f) 202.501.1519

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: CN=Diane Thompson/OU=DC/O=USEPA/C=US@EPA;CN=Lisa
Heinzerling/OU=DC/O=USEPA/C=US@EPA;CN=Scott Fulton/OU=DC/O=USEPA/C=US@EPA[];
N=Lisa Heinzerling/OU=DC/O=USEPA/C=US@EPA;CN=Scott
Fulton/OU=DC/O=USEPA/C=US@EPA[]; N=Scott Fulton/OU=DC/O=USEPA/C=US@EPA[]
From: CN=Seth Oster/OU=DC/O=USEPA/C=US
Sent: Thur 9/10/2009 8:18:24 PM
Subject: DECISION -- Chamber Lawsuit on Calif Waiver

Administrator,

As you heard, the Chamber has filed a suit against the agency over the California waiver. OAR has weighed in that we should respond with a statement saying we are aware of the suite and are reviewing it -- and not comment beyond that.

Deliberative

Seth

Seth Oster
Associate Administrator
Office of Public Affairs
Environmental Protection Agency
(202) 564-1918
oster.seth@epa.gov

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: CN=Gina McCarthy/OU=DC/O=USEPA/C=US@EPA[]
From: CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US
Sent: Thur 9/10/2009 9:00:00 PM
Subject: Fw: Autos event

Heather gives more info, below, on the autos event next week.

She said in a later email that he would indeed plan to mention the proposed autos rule in his remarks.

----- Forwarded by Lisa Heinzerling/DC/USEPA/US on 09/10/2009 04:58 PM -----

From: "Zichal, Heather R." <[Personal Privacy]>
To: Lisa Heinzerling/DC/USEPA/US@EPA
Cc: "Freeman, Jody L." [Personal Privacy]
Date: 09/10/2009 01:14 PM
Subject: Autos event

Lisa -- During last night's discussion, I committed to follow up with more details on POTUS' event in Youngstown next week with GM. Here's the scoop: The event is totally jobs focused. Highlight is the 1050 jobs that will be added when a new shift comes online in October as a result of the demand created by Cash for Clunkers. Message is turning corners on economy, people going back to work. Will provide more details as they become available but wanted to get this to you.

Hope you are having a good day.
Heather

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: "Gina (Sheila) McCarthy" [mccarthy.gina@epa.gov]
From: CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US
Sent: Thur 9/10/2009 9:14:41 PM
Subject: Re: Autos event

Will do.

From: Richard Windsor/DC/USEPA/US
To: Lisa Heinzerling/DC/USEPA/US@EPA, "Gina (Sheila) McCarthy" <mccarthy.gina@epa.gov>
Date: 09/10/2009 05:04 PM
Subject: Re: Autos event

Make sure she (and WH) know about the NADA/Chamber lawsuit.

----- Original Message -----

From: Lisa Heinzerling
Sent: 09/10/2009 05:00 PM EDT
To: Richard Windsor
Cc: Gina McCarthy
Subject: Fw: Autos event

Heather gives more info, below, on the autos event next week.

She said in a later email that he would indeed plan to mention the proposed autos rule in his remarks.

----- Forwarded by Lisa Heinzerling/DC/USEPA/US on 09/10/2009 04:58 PM -----

From: "Zichal, Heather R." [Personal Privacy]
To: Lisa Heinzerling/DC/USEPA/US@EPA
Cc: "Freeman, Jody L." [Personal Privacy]
Date: 09/10/2009 01:14 PM
Subject: Autos event

Lisa - - During last night's discussion, I committed to follow up with more details on POTUS' event in Youngstown next week with GM. Here's the scoop: The event is totally jobs focused. Highlight is the 1050 jobs that will be added when a new shift comes online in October as a result of the demand created by Cash for Clunkers. Message is turning corners on economy, people going back to work. Will provide more details as they become available but wanted to get this to you.

Hope you are having a good day.
Heather

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Seth Oster/OU=DC/O=USEPA/C=US
Sent: Thur 9/10/2009 9:23:09 PM
Subject: Re: DECISION -- Chamber Lawsuit on Calif Waiver

Got it. This is the revised statement and it's going out now.

"The EPA granted the California waiver after a comprehensive analysis of the science and in adherence to the rule of law. The agency believes strongly it was the right decision and is fully confident it will be found by the Courts to be entirely consistent with the law."

Seth Oster
Associate Administrator
Office of Public Affairs
Environmental Protection Agency
(202) 564-1918
oster.seth@epa.gov

From: Richard Windsor/DC/USEPA/US
To: Seth Oster/DC/USEPA/US@EPA
Date: 09/10/2009 05:05 PM
Subject: Re: DECISION -- Chamber Lawsuit on Calif Waiver

Deliberative

----- Original Message -----

From: Seth Oster
Sent: 09/10/2009 04:18 PM EDT
To: Richard Windsor
Cc: Diane Thompson; Lisa Heinzerling; Scott Fulton
Subject: DECISION -- Chamber Lawsuit on Calif Waiver
Administrator,

As you heard, the Chamber has filed a suit against the agency over the California waiver. OAR has weighed in that we should respond with a statement saying we are aware of the suite and are reviewing it -- and not comment beyond that.

Deliberative

Deliberative

Seth

Seth Oster
Associate Administrator
Office of Public Affairs
Environmental Protection Agency
(202) 564-1918
oster.seth@epa.gov

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: CN=Diane Thompson/OU=DC/O=USEPA/C=US@EPA[]
From: CN=Bob Sussman/OU=DC/O=USEPA/C=US
Sent: Thur 9/10/2009 11:24:33 PM
Subject: Fw: Red Devil Mine - Interagency Opposition to Superfund NPL Listing
Administrator Call to DOI on Red Devil Mine Site.doc
Administrator Call - Red Devil NPL Timeline.doc

Lisa -- I had a long talk with Mathy about this.

Deliberative

Deliberative

Thoughts?

Robert M. Sussman
Senior Policy Counsel to the Administrator
Office of the Administrator
US Environmental Protection Agency
----- Forwarded by Bob Sussman/DC/USEPA/US on 09/10/2009 07:18 PM -----

From: Mathy Stanislaus/DC/USEPA/US
To: Richard Windsor/DC/USEPA/US@EPA
Cc: Robert Polin/DC/USEPA/US@EPA, Bob Sussman/DC/USEPA/US@EPA, Lisa Heinzerling/DC/USEPA/US@EPA
Date: 09/10/2009 07:06 PM
Subject: Fw: Red Devil Mine - Interagency Opposition to Superfund NPL Listing

Lisa:

This is follow-up to my last e-mail regarding the proposed listing of the Red Devil Site on the NPL. Attached is further background information, talking points and proposed options for you to use to call Secretary Salazar. Please let me know if you have questions. Thanks

Bob Polin: Please include this in the Administrator's day book.

Mathy .
----- Forwarded by Mathy Stanislaus/DC/USEPA/US on 09/10/2009 06:50 PM -----

From: Mathy Stanislaus/DC/USEPA/US
To: Richard Windsor/DC/USEPA/US@EPA
Cc: Diane Thompson/DC/USEPA/US@EPA
Date: 08/26/2009 02:59 PM
Subject: Fw: Red Devil Mine - Interagency Opposition to Superfund NPL Listing

EPA has put forward a package of proposed and final Superfund/CERCLA National Priorities List (NPL) sites for interagency review by the Office of Management and Budget (OMB). OMB has approved recently a group of proposed and final NPL sites. However, OMB and the Bureau of Land Management (BLM) within the Department of the Interior continue to oppose the proposed listing of Red Devil Mine on the NPL as a federal facility. We understand that Bob Abby, BLM Director and Sally Erickson at OMB are being apprised of this issue.

Red Devil Mine is a former mercury mine (operated intermittently from 1933 – 1971) located in a remote part of western Alaska, on the south side of the Kuskokwim River. It contains tailings piles, saturated tailings in the adjacent Red Devil Creek, areas of contaminated surface soils, and a surface impoundment. These sources have impacted Red Devil Creek and the Kuskokwim River with elevated levels of mercury, arsenic and other heavy metals. The mine is entirely on BLM property. No private leases were ever awarded. There is a human health risk based on fish caught for human consumption in the Kuskokwim River. Mercury has been found in fish tissue and 23 native Alaskan tribes are subsistence fishers of the Kuskokwim. The State of Alaska Department of Environmental Quality, after working for years with BLM, has asked EPA to pursue listing. BLM, due to lack of funds, has been ineffective in dealing with the site, performing a series of removals which have made the situation worse and left the mercury contamination unaddressed.

EPA has determined that the site has sufficient hazard to warrant placement on the NPL; the state's environmental commissioner supports the NPL listing; there are ongoing releases and risk of ongoing human exposure through mercury contaminated fish; BLM is not effectively addressing the site; there is community and tribal support for the action and the potential for adverse public reaction if we do not move forward with the proposed listing.

Deliberative

[attachment "NPL Red Devil Accept Changes 26 Aug 2009.doc" deleted by Mathy Stanislaus/DC/USEPA/US]
Barnes Johnson | U.S. Environmental Protection Agency | Superfund | Tel 703 603 8960 | Fax 703 603 9146 |
johnson.barnes@epa.gov

To: "Lisa Jackson" [windsor.richard@epa.gov]
From: CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US
Sent: Fri 9/11/2009 1:30:43 AM
Subject: Fw: AP: Car Dealers Appeal Ruling on California Emissions

Fyi.

Jody says she gave EPA a heads up before lawsuit filed.

----- Original Message -----

From: "Freeman, Jody L." [Personal Privacy]
Sent: 09/10/2009 08:56 PM AST
To: Lisa Heinzerling
Subject: Re: AP: Car Dealers Appeal Ruling on California Emissions

Sorry, sent prematurely. We knew of this and gave EPA heads up. Autos agreed not to challenge but NADA and Chamber not persuaded. They have standing issues. DOJ handling.

----- Original Message -----

From: Heinzerling.Lisa@epamail.epa.gov <Heinzerling.Lisa@epamail.epa.gov>
To: Zichal, Heather R.; Freeman, Jody L.
Sent: Thu Sep 10 17:21:26 2009
Subject: AP: Car Dealers Appeal Ruling on California Emissions

Heather and Jody,

I'm sure you've both seen this by now, but just in case, see below.

Lisa

September 10, 2009
Car Dealers Appeal Ruling on California Emissions
By THE ASSOCIATED PRESS

Filed at 3:33 p.m. ET

WASHINGTON (AP) -- Auto dealers and business leaders have appealed a decision by the Environmental Protection Agency to allow California to establish the nation's first greenhouse gas standards for cars and trucks.

The National Automobile Dealers Association and the U.S. Chamber of Commerce asked a U.S. appeals court Thursday to review the EPA's decision. The EPA in July granted California's request for a waiver allowing it to push tougher air pollution rules.

The legal move could allow the groups to ask a judge to block the order.

The EPA's decision cleared the way for California to implement a 2002 state pollution law requiring new cars to increase their fuel economy 40 percent by 2016. The auto industry and the Bush administration had opposed the rules.

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
From: CN=Bob Sussman/OU=DC/O=USEPA/C=US
Sent: Fri 9/11/2009 1:37:39 AM
Subject: Re: Red Devil Mine - Interagency Opposition to Superfund NPL Listing

Deliberative

----- Original Message -----

From: Richard Windsor

Sent: 09/10/2009 08:20 PM EDT

To: Bob Sussman

Subject: Re: Red Devil Mine - Interagency Opposition to Superfund NPL Listing

Why don't you reach out to the BIA? He was picked specifically by Salazar and may be helpful. Our

Deliberative

----- Original Message -----

From: Bob Sussman

Sent: 09/10/2009 07:24 PM EDT

To: Richard Windsor

Cc: Diane Thompson

Subject: Fw: Red Devil Mine - Interagency Opposition to Superfund NPL Listing

Lisa -- I had a long talk with Mathy about this.

Deliberative

Deliberative

Thoughts?

Robert M. Sussman

Senior Policy Counsel to the Administrator

Office of the Administrator

US Environmental Protection Agency

----- Forwarded by Bob Sussman/DC/USEPA/US on 09/10/2009 07:18 PM -----

From: Mathy Stanislaus/DC/USEPA/US

To: Richard Windsor/DC/USEPA/US@EPA

Cc: Robert Polin/DC/USEPA/US@EPA, Bob Sussman/DC/USEPA/US@EPA, Lisa

Heinzerling/DC/USEPA/US@EPA

Date: 09/10/2009 07:06 PM

Subject: Fw: Red Devil Mine - Interagency Opposition to Superfund NPL Listing

Lisa:

This is follow-up to my last e-mail regarding the proposed listing of the Red Devil Site on the NPL. Attached is further background information, talking points and proposed options for you to use to call Secretary Salazar. Please let me know if you have questions. Thanks

[attachment "Administrator Call to DOI on Red Devil Mine Site.doc" deleted by Richard Windsor/DC/USEPA/US]
[attachment "Administrator Call - Red Devil NPL Timeline.doc" deleted by Richard Windsor/DC/USEPA/US]

Bob Polin: Please include this in the Administrator's day book.

Mathy .

----- Forwarded by Mathy Stanislaus/DC/USEPA/US on 09/10/2009 06:50 PM -----

From: Mathy Stanislaus/DC/USEPA/US
To: Richard Windsor/DC/USEPA/US@EPA
Cc: Diane Thompson/DC/USEPA/US@EPA
Date: 08/26/2009 02:59 PM
Subject: Fw: Red Devil Mine - Interagency Opposition to Superfund NPL Listing

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Deliberative

[attachment "NPL Red Devil Accept Changes 26 Aug 2009.doc" deleted by Mathy Stanislaus/DC/USEPA/US]
Barnes Johnson | U.S. Environmental Protection Agency | Superfund | Tel 703 603 8960 | Fax 703 603 9146 |
johnson.barnes@epa.gov

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: "Gina (Sheila) McCarthy" [mccarthy.gina@epa.gov]; Seth Oster" [oster.seth@epa.gov]; Diane Thompson" [thompson.diane@epa.gov]
From: CN=David McIntosh/OU=DC/O=USEPA/C=US
Sent: Fri 9/11/2009 1:44:40 AM
Subject: Re: Fw: AP: Car Dealers Appeal Ruling on California Emissions

Deliberative

From: Richard Windsor/DC/USEPA/US
To: "Seth Oster" <oster.seth@epa.gov>, "Gina (Sheila) McCarthy" <mccarthy.gina@epa.gov>, "David McIntosh" <mcintosh.david@epa.gov>
Cc: "Diane Thompson" <thompson.diane@epa.gov>
Date: 09/10/2009 09:35 PM
Subject: Fw: AP: Car Dealers Appeal Ruling on California Emissions

Deliberative

----- Original Message -----

From: Lisa Heinzerling
Sent: 09/10/2009 09:30 PM EDT
To: "Lisa Jackson" <windsor.richard@epa.gov>
Subject: Fw: AP: Car Dealers Appeal Ruling on California Emissions

Fyi.

Jody says she gave EPA a heads up before lawsuit filed.

----- Original Message -----

From: "Freeman, Jody L." **Personal Privacy**
Sent: 09/10/2009 08:56 PM AST
To: Lisa Heinzerling
Subject: Re: AP: Car Dealers Appeal Ruling on California Emissions

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----- Original Message -----

From: Heinzerling.Lisa@epamail.epa.gov <Heinzerling.Lisa@epamail.epa.gov>

To: Zichal, Heather R.; Freeman, Jody L.

Sent: Thu Sep 10 17:21:26 2009

Subject: AP: Car Dealers Appeal Ruling on California Emissions

Heather and Jody,

I'm sure you've both seen this by now, but just in case, see below.

Lisa

September 10, 2009

Car Dealers Appeal Ruling on California Emissions

By THE ASSOCIATED PRESS

Filed at 3:33 p.m. ET

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The legal move could allow the groups to ask a judge to block the order.

The EPA's decision cleared the way for California to implement a 2002 state pollution law requiring new cars to increase their fuel economy 40 percent by 2016. The auto industry and the Bush administration had opposed the rules.

To: CN=David McIntosh/OU=DC/O=USEPA/C=US@EPA;CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]; N=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: "Gina (Sheila) McCarthy" [mccarthy.gina@epa.gov]; Diane Thompson" [thompson.diane@epa.gov]
From: CN=Seth Oster/OU=DC/O=USEPA/C=US
Sent: Fri 9/11/2009 2:23:35 AM
Subject: Re: Fw: AP: Car Dealers Appeal Ruling on California Emissions

Deliberative

----- Original Message -----

From: David McIntosh
Sent: 09/10/2009 09:44 PM EDT
To: Richard Windsor
Cc: "Gina (Sheila) McCarthy" <mccarthy.gina@epa.gov>; "Seth Oster" <oster.seth@epa.gov>; "Diane Thompson" <thompson.diane@epa.gov>
Subject: Re: Fw: AP: Car Dealers Appeal Ruling on California Emissions

Deliberative

From: Richard Windsor/DC/USEPA/US
To: "Seth Oster" <oster.seth@epa.gov>, "Gina (Sheila) McCarthy" <mccarthy.gina@epa.gov>, "David McIntosh" <mcintosh.david@epa.gov>
Cc: "Diane Thompson" <thompson.diane@epa.gov>
Date: 09/10/2009 09:35 PM
Subject: Fw: AP: Car Dealers Appeal Ruling on California Emissions

Deliberative

----- Original Message -----

From: Lisa Heinzerling
Sent: 09/10/2009 09:30 PM EDT
To: "Lisa Jackson" <windsor.richard@epa.gov>
Subject: Fw: AP: Car Dealers Appeal Ruling on California Emissions

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----- Original Message -----

From: "Freeman, Jody L."

Personal Privacy

Sent: 09/10/2009 08:56 PM AST

To: Lisa Heinzerling

Subject: Re: AP: Car Dealers Appeal Ruling on California Emissions

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----- Original Message -----

From: Heinzerling.Lisa@epamail.epa.gov <Heinzerling.Lisa@epamail.epa.gov>

To: Zichal, Heather R.; Freeman, Jody L.

Sent: Thu Sep 10 17:21:26 2009

Subject: AP: Car Dealers Appeal Ruling on California Emissions

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To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: "Gina (Sheila) McCarthy" [mccarthy.gina@epa.gov]; David McIntosh"
[McIntosh.David@EPA.GOV]; Seth Oster" [oster.seth@epa.gov]
From: CN=Diane Thompson/OU=DC/O=USEPA/C=US
Sent: Fri 9/11/2009 12:00:38 PM
Subject: Re: AP: Car Dealers Appeal Ruling on California Emissions

Deliberative

Diane E. Thompson
Chief of Staff
U. S. Environmental Protection Agency
202-564-6999

From: Gina McCarthy/DC/USEPA/US
To: Richard Windsor/DC/USEPA/US@EPA, "Seth Oster" <oster.seth@epa.gov>, "Gina (Sheila) McCarthy" <mccarthy.gina@epa.gov>, "David McIntosh" <McIntosh.David@EPA.GOV>
Cc: "Diane Thompson" <Thompson.Diane@EPA.GOV>
Date: 09/10/2009 10:31 PM
Subject: Re: AP: Car Dealers Appeal Ruling on California Emissions

Deliberative

----- Original Message -----

From: Richard Windsor
Sent: 09/10/2009 09:35 PM EDT
To: "Seth Oster" <oster.seth@epa.gov>; "Gina (Sheila) McCarthy" <mccarthy.gina@epa.gov>; "David McIntosh" <mcintosh.david@epa.gov>
Cc: "Diane Thompson" <thompson.diane@epa.gov>
Subject: Fw: AP: Car Dealers Appeal Ruling on California Emissions

Deliberative

----- Original Message -----

From: Lisa Heinzerling

Sent: 09/10/2009 09:30 PM EDT
To: "Lisa Jackson" <windsor.richard@epa.gov>
Subject: Fw: AP: Car Dealers Appeal Ruling on California Emissions

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Sent: 09/10/2009 08:56 PM AST
To: Lisa Heinzerling
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Sent: Thu Sep 10 17:21:26 2009
Subject: AP: Car Dealers Appeal Ruling on California Emissions

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To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Diane Thompson/OU=DC/O=USEPA/C=US
Sent: Fri 9/11/2009 12:31:14 PM
Subject: Re: Fw: AP: Car Dealers Appeal Ruling on California Emissions

Deliberative

DT

Diane E. Thompson
Chief of Staff
U. S. Environmental Protection Agency
202-564-6999

From: Richard Windsor/DC/USEPA/US
To: "Seth Oster" <oster.seth@epa.gov>, "Gina (Sheila) McCarthy" <mccarthy.gina@epa.gov>, "David McIntosh" <mcintosh.david@epa.gov>
Cc: "Diane Thompson" <thompson.diane@epa.gov>
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Personal Privacy

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To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: CN=Diane Thompson/OU=DC/O=USEPA/C=US@EPA;CN=Lisa
Heinzerling/OU=DC/O=USEPA/C=US@EPA[]; N=Lisa
Heinzerling/OU=DC/O=USEPA/C=US@EPA[]
From: CN=Scott Fulton/OU=DC/O=USEPA/C=US
Sent: Fri 9/11/2009 5:02:19 PM
Subject: Call to Holder

Hi Lisa: Lisa H. and I just met with the OGC team to discuss some issues relating to the PSD Phase-in proposed rule.

Deliberative

Deliberative

Sound okay?

Thanks,
Scott

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: "Lisa Heinzerling" [heinzerling.lisa@epa.gov]; N=Katharine Gage/OU=DC/O=USEPA/C=US@EPA;"Gina (Sheila) McCarthy" [mccarthy.gina@epa.gov]; Gina (Sheila) McCarthy" [mccarthy.gina@epa.gov]; Diane Thompson" [thompson.diane@epa.gov]
From: CN=Seth Oster/OU=DC/O=USEPA/C=US
Sent: Fri 9/11/2009 8:32:46 PM
Subject: Re: Browner Meeting Monday

Monday would certainly work much better than Tuesday if the cars rule is going to be announced at the WH on Tuesday (as is currently the plan). It would give us a chance to frame the discussion as how this all fits together before the proposed cars rule is unveiled. Can still, of course, be done on Tuesday maybe after the briefing since you'll be there. But it would be more strategic on Monday.

Seth Oster
Associate Administrator
Office of Public Affairs
Environmental Protection Agency
(202) 564-1918
oster.seth@epa.gov

From: Richard Windsor/DC/USEPA/US
To: Katharine Gage/DC/USEPA/US@EPA
Cc: "Diane Thompson" <thompson.diane@epa.gov>, "Seth Oster" <oster.seth@epa.gov>, "Gina (Sheila) McCarthy" <mccarthy.gina@epa.gov>, "Lisa Heinzerling" <heinzerling.lisa@epa.gov>
Date: 09/11/2009 04:15 PM
Subject: Re: Browner Meeting Monday

I spoke to Carol about this and she suggested Monday or Tuesday. This meeting is with Anita Dunn and David Seamus. So we can try Tuesday since I prefer to have it earlier in the day on either day if at all possible. Seth and Gina should come. If Tx.

----- Original Message -----

From: Katharine Gage
Sent: 09/11/2009 04:00 PM EDT
To: Richard Windsor
Subject: Browner Meeting Monday

Administrator,

Browner's office called about another communications strategy meeting on Monday. The only time that looks like it will work for both of you is 5:45pm. Would that be OK to set up? If not I can push back to try and get something in the early afternoon.

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Diane Thompson/OU=DC/O=USEPA/C=US
Sent: Fri 9/11/2009 8:53:52 PM
Subject: Fw: Gulf Coast Rebuilding Weekly Update

FYI

Diane E. Thompson

Chief of Staff

U. S. Environmental Protection Agency

202-564-6999

----- Forwarded by Diane Thompson/DC/USEPA/US on 09/11/2009 04:28 PM -----

From: "Whelan, Moira" <Moira.WheLAN@dhs.gov>

To: "Leshner, Jan" <Jan.Leshner@dhs.gov>, "Wareing, Tracy" <Tracy.Wareing@dhs.gov>, "Kayyem, Juliette" <Juliette.Kayyem@dhs.gov>, "Tennyson, Stephanie L" <Stephanie.Tennyson@dhs.gov>, "Smith, Sean" <Sean.Smith@dhs.gov>, "Kuban, Sara A" <Sara.Kuban@dhs.gov>, "McNamara, Jason" <Jason.Mcnamara@dhs.gov>, "Fugate, Craig" <Craig.Fugate@dhs.gov>,

Personal Privacy
Personal Privacy

"Stevens, Clark"

<Clark.Stevens@dhs.gov>, "Colburn, Brent" <Brent.Colburn@dhs.gov>, "Hart, Patrick" <Patrick.Hart@dhs.gov>, "Garratt, David" <david.garratt@dhs.gov>, "Wiggins, Chani Winn" <Chani.Wiggins@dhs.gov>, "Peacock, Nelson" <Nelson.Peacock@dhs.gov>, "Pressman, David" <David.Pressman@dhs.gov>, <joan.deboer@dot.gov>, <dave.gresham@hud.gov>,

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<frederick.tombariii@hud.gov>, <brian.gill@hud.gov>, "McDonald, Blair" <Blair.McDonald@dhs.gov>, <laura.petrout@hhs.gov>, <rima.cohen@hhs.gov>, "Contreras, January" <January.Contreras@dhs.gov>, "Gordon, Andrew S" <Andrew.Gordon@dhs.gov>,

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<donny.williams@hud.gov>, <laurel.a.blatchford@hud.gov>,

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<jennifer.a.greer@usace.army.mil>, <Andrew.hagelin@hqda.army.mil>, <steven.l.stockton@usace.army.mil>,

<Zoltan.l.montvai@usace.army.mil>, "Grimm, Michael" <michael.grimm@dhs.gov>,

<Deborah.ingram@dhs.gov>, <cantor.eric@dhs.gov>, <gambrell@cdfi.treas.gov>, Allyn Brooks-LaSure/DC/USEPA/US@EPA, <mark.newberg@sba.gov>, <steven.smith@sba.gov>,

<Donald.orndoff@va.gov>,

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<John.cross@do.treas.gov>, <Danielle.l.schopp@hud.gov>,

Personal Privacy

<theodore.a.brown@usace.army.mil>, <todd.m.richardson@hud.gov>, <dominique.blom@hud.gov>,

<jeffrey.riddell@hud.gov>, <david.vargas@hud.gov>, <mark.misczack@fema.gov>, "Fox, Katherine B"

<Katherine.B.Fox@dhs.gov>, "Monchek, Rafaela"

Personal Privacy

<rafaela.monchek@dhs.gov>, <carl.highsmith@dot.gov>, <david.matsuda@dot.gov>, "Duggan, Alaina"

<Alaina.Duggan@dhs.gov>, "Campbell, Matt" <matt.campbell@dhs.gov>,

Personal Privacy

Personal Privacy

Jim Hanlon/DC/USEPA/US@EPA, Diane Thompson/DC/USEPA/US@EPA,

<donna.white@hud.gov>, <lnembhard@cns.gov>, <baker.angela@dhs.gov>,

Personal Privacy

"McClure, Laura" <Laura.McClure@dhs.gov>,

<rstinson@eda.doc.gov>, <pdaivison@eda.doc.gov>, <cosborne@eda.doc.gov>, <ginger.lew@sba.gov>,

<james.rivera@sba.gov>, <eric.zarnikow@sba.gov>, <chris.chan@sba.gov>, <ana.ma@sba.gov>,

<Matthew.Yale@ed.gov>, <johnr.gingrich@va.gov>, <mark.a.linton@hud.gov>, <alexia.kelley@hhs.gov>,

<cgrant2@doc.gov>, "Myers, David" <David.Myers1@dhs.gov>, "Schwartz, Alison"

<Alison.Schwartz@dhs.gov>, <Melanie.N.Roussell@hud.gov> **Personal**

Personal Privacy

"Goucher, Rob" <rob.goucher@dhs.gov>

Cc: "Woodka, Janet" <Janet.Woodka@dhs.gov>, "Banta, Drue" <Drue.Banta@dhs.gov>, "Watson, Shannon" <Shannon.Watson@dhs.gov>, "Fraser, Timothy" <Timothy.Fraser@dhs.gov>, "Simms, Nathan" <Nathan.Simms@dhs.gov>, "Stewart, Jessica" <Jessica.Stewart@dhs.gov>, "McConnell, Scott" <Scott.Mcconnell@dhs.gov>, "Lundqvist, Hanna" <Hanna.Lundqvist@dhs.gov>, "Lockett, Terrence" <Terrence.Lockett@dhs.gov>, "Gehring, Wendy" <Wendy.Gehring@dhs.gov>

Date: 09/11/2009 03:49 PM

Subject: Gulf Coast Rebuilding Weekly Update

Office of the Federal Coordinator for Gulf Coast Rebuilding
Weekly Update 9/11/2009

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Last week, GCR did not distribute a weekly update, therefore, this update encompasses developments in Gulf Coast Rebuilding since the August 31 weekly update.

On August 31, DHS officially announced the new arbitration regulations for the Katrina-Rita Public Assistance program. Under the system, three-judge panels will hear and settle disputes over what the federal government owes on projects worth more than \$500,000. It is unclear how many applicants will use the new process, but some speculate that Charity Hospital will be one of the first. Louisiana must decide whether they want to use the arbitration process for the Charity Hospital building by October 30.

Last week, New Orleans Mayor Ray Nagin dissolved the Office of Recovery and Development Administration (formerly headed by Ed Blakely) and created two new offices to coordinate the city's long-term rebuilding efforts: the Office of Community Development, which will handle housing and economic development functions, and the Project Delivery Unit, which will facilitate the city's continuing restoration of public buildings and other assets. The Project Delivery Unit will be overseen by Harrison Boyd, director of the Mayor's Office of Technology, and Deputy Chief Administrative Officer Cynthia Sylvain-Lear. Mayor Nagin appointed Austin Penny to head the Office of Community Development, but Penny has since announced his resignation. On September 10, Mayor Nagin announced Kenya Smith, Nagin's former Intergovernmental Affairs director and one-time congressional candidate, as Penny's replacement.

Some have raised concerns that recent changes in the New Orleans long-term rebuilding office may affect the city's new timeline for delivering a clean site to the VA to build a new VA hospital in New Orleans. The VA has also raised concerns with the pace of appraisals and acquisitions, particularly for the Pan American building which will be used as the administration building for the new hospital. The state has implemented some changes to their process in response to GCR and VA queries. The City of New Orleans and the State Office of Facility Planning and Construction are working on a joint letter to the VA with a revised timeline for site clearance. The VA and City of New Orleans may sign the amended Memorandum of Understanding for site clearance in the next week. There are efforts to have the State sign this letter as well. (The City and State have yet to sign a formal Cooperative Endeavor Agreement so are currently working under an agreement "in principle.")

On September 1, 2009, HUD's Disaster Housing Assistance Payments (DHAP) program ended. Families have begun the transition from DHAP to HUD's Housing Choice Vouchers Program (HCVP) in order to support their long needs. Families that do not qualify for HCVP due to income requirements are eligible to receive assistance under HUD's Rapid Re-Housing Program which is operated at the state-level. The funds under this program are intended to target individuals and families who would be homeless but for this assistance. The funds will provide for a variety of assistance, including: short-term or medium-term rental assistance and housing relocation and stabilization services, including such activities as mediation, credit counseling, security or utility deposits, utility payments, moving cost assistance, and case management.

On September 11, 2009, the Office of Gulf Coast Rebuilding sponsored a 9-11 volunteer service the help of the

Corporation for National and Community Service and the local AmeriCorps. 100 AmeriCorps volunteers will hit the streets to canvas with energy saving kits and disaster preparedness pamphlets.

Senator Landrieu, Senator Vitter, Administrator Fugate, and Cameron Parish Administrator Tina Horn participated in a conference call on September 8 to discuss Cameron Parish's preliminary insurance flood maps. Tina Horn alleged that the base data that FEMA used to develop the new maps is flawed, so Administrator Fugate said he would send FEMA representatives to LSU (where the base data is stored) to investigate.

The Times-Picayune published a story on the Orleans Hospital Service District's continued efforts to purchase the Pendleton Memorial Methodist Hospital, which is owned by Universal Health Services of Pennsylvania. The hospital once serviced eastern New Orleans, Gentilly and the 9th Ward but has yet to reopen after Hurricane Katrina. The City has allocated \$40 million of its long-term rebuilding CDBG funds to purchase the hospital, but the hospital service district estimates it will need \$120-130 million more to complete the project. In the coming weeks, the hospital service district intends to solicit bids for investment bankers to serve as financial advisers on the project and handle future bond issues. The response from this solicitation may determine the future re-opening of this hospital.

Neighboring St. Bernard Parish plans to reopen its own not-for-profit hospital in late 2011. Although the St. Bernard Hospital Service District has secured all needed funding to complete its 40-bed hospital in Chalmette, they have determined that the project needs a separate medical office building. They have requested the Senator Landrieu and Congressman Melancon's assistance to find \$10 million in grants to build this medical office building. This week the Louisiana Recovery Authority, the Office of Community Development's Disaster Recovery Unit and the Governor's Office of Homeland Security and Emergency Preparedness announced an online tracking system for infrastructure rebuilding post-Katrina, Rita, Gustav, Ike, Ivan, and Cindy. The website details both Public Assistance and Community Development Block Grant expenditures for all six disasters. Rebuild.Louisiana.gov

In an interview with a New Orleans television reporter, Governor Bobby Jindal restated his support for building a new academic medical center in New Orleans. The financing for the new hospital, which is projected to cost \$1.2 billion, is still unclear, and the state is still determining whether it will send the Charity Hospital Project Worksheet through the newly formed arbitration process. Gov. Jindal was quoted as saying, "We've talked to the Obama administration several times, and they've been very clear to us that whatever money we get out of FEMA, whether it's what we expect, which is \$492 (million) or closer to what they're offering today, \$150 (million), they made it clear they're open to providing additional funding from other sources within the federal government."

Last week over 1,000 people walked the streets of New Orleans to show their support for the old Charity Hospital building (instead of building a new academic medical center). This comes after LSU and Tulane reached an agreement over the governance of the new academic medical center. Some called for the reuse of the old Charity Building for the new medical center. Others voiced their concern with the lack of transparency of the development of the Biomedical Corridor in Mid-City. Paul Rainwater, Executive Director of the Louisiana Recovery Authority, and some local developers have begun floating ideas for the reuse of the old Charity Hospital building. Delgado Community College turned away applicants for the fall semester due to a surge in interest that overwhelmed the school's capacity. Hurricane Katrina made more than 260,000 square feet of space unusable at the college's City Park campus, or roughly 39 percent of the pre-storm footprint, none of which has been restored since the college reopened in the spring of 2006. Delgado and state authorities disagree with FEMA over whether certain buildings qualify for repair or for replacement. To date, FEMA has stated that it has obligated \$18.8 million for contents and \$20.7 million for Delgado's damaged facilities. LRA Director Paul Rainwater stated that there is a \$22 million gap between what the state and Delgado think the government should pay and what FEMA has determined it will provide. Both sides in the dispute express willingness to work to resolve the funding discrepancy.

Charles Castille, Undersecretary of the Louisiana Department of Health and Hospitals (DHH), testified before the state's Government Streamlining Commission to discuss costs of the state's public hospital and health system. Several panelists questioned the need to rebuild a \$1.2 billion public hospital in New Orleans given the state's budget constraints and the current health care reform push in Washington. Some suggested that DHH commission a new study of the health care needs in New Orleans to identify whether additional hospital beds are necessary for the New Orleans area.

Deputy Secretary of Homeland Security Jane Holl Lute traveled to Mississippi on Tuesday, September 1 for meetings with Congressman Bennie Thompson and local leaders on preparedness and H1N1.

Tulane and LSU hosted a health care site visit for Louisiana delegation health care staffers on September 3.

On September 1, the first class of AmeriCorps National Civilian Community Corps members to serve at the Vicksburg, MS, campus were inducted into service at the new center. The event was attended by Corporation for National and Community Service CEO Nicola Goren, Congressional staff, staff from the Office of the Federal Coordinator for Gulf Coast Rebuilding and other dignitaries.

On September 3, GCR met with members of the Government Accountability Office (GAO) Financial Markets and Community Investment team. This meeting served as a follow up to a meeting earlier this year on housing related matters. Items discussed during the meeting included the need for rental housing in the Gulf Coast states, verification of federal sources of funding that was used towards permanent housing post-disaster, the potential need for new funding source to aid post-disaster rebuilding, the current status of streamlining the environmental requirements between HUD and FEMA, and the current status of the "follow the money" reconciliation between OMB and GCR on post disaster allocations and expenditures. The report is expected in December 2009.

Last week, GCR staff participated in the National Community Service Corporation's two-day tour with OMB and the Corporation for National and Public Service, visiting facilities for AmeriCorps members throughout Mississippi and Louisiana. GCR staff also met with Cameron and Calcasieu Parish, Lake Charles, and GOHSEP officials to discuss the post-Rita rebuilding of southwest Louisiana.

On September 8, Janet Woodka, the Federal Coordinator for Gulf Coast Rebuilding, met with Jo-Ellen Darcy, Assistant Secretary of the Army (Civil Works), and Garret Graves from the Louisiana governor's office to discuss coastal restoration, permanent pumps, and other Corps-related issues.

Comings and Goings

President Obama announced his intention to visit the Gulf Coast "by the end of the year" in the August 23 Times-Picayune story. Vice President Biden indicated he would travel to New Orleans after the President.

Senator Mary Landrieu may hold a field hearing on recovery in Galveston, TX in early September.

Claudia Tornblom from the ASA(CW)'s office will visit NOLA on September 15.

September 15-17, Greater New Orleans, Inc, the regional economic development entity, will be in DC making Congressional visits. They will also be meeting with Treasury officials and are seeking a number of other meetings with representatives from federal agencies.

Brig. Gen. Mike Walsh from the New Orleans District of the Corps of Engineers and the Mississippi River Commission will be in DC September 21-24 to meet with Congressional leaders.

Environmental Defense Fund and America's Wetlands are expected in DC the week of September 20th.

The House Transportation and Infrastructure Committee will hold a hearing on September 29th on public assistance. FEMA's Tony Russell and the LRA's Paul Rainwater are among those expected to testify.

Historic Restoration, Inc. will be in DC September 29-30 with other partners taking meetings discussing the GO Zone Historic Tax Credit.

The NATO Parliamentary Assembly plans to visit New York City and New Orleans on an emergency preparedness and disaster response trip October 3-5. FEMA Office of International Affairs is supporting the trip.

Ms. Jo Ellen Darcy, the Assistant Secretary of the Army for Civil Works, is considering a trip to New Orleans after Columbus Day.

Forthcoming

The fourth anniversary of Hurricane Rita making landfall is September 24.

The House Appropriations Surveys and Investigations report on the Corps is due September 2009.

Neighborhood Funders Group will host their annual conference October 13-15 in New Orleans at the Loews Hotel.

The conference explores how philanthropy can support and expand vibrant civic engagement through partnerships between government, philanthropy and communities. Secretary of Labor Hilda Solis has been invited to speak.

The TIGER application deadline is September 15. Department of Transportation expects to award these before the end of the year. New Orleans has submitted applications for streetcar lines.

The JCPA and CC-USA "Good Jobs, Green Jobs" mobilization will take place in New Orleans October 14-21.

October 16-18 is the Mississippi Center for Justice's Great Mississippi River Road Trip, which highlights their work on advancing racial and economic justice across the state.

The Greek Orthodox Church Symposium on Religion, Science, and the Environment - "The Great Mississippi River:

Restoring Balance" will be in New Orleans October 20 -26. This marks the first time that the symposium has been held in the United States. A number of Administration officials have been invited.

The World War II Museum in New Orleans will celebrate the opening of a new wing, November 6-8 as part of a \$300 million expansion project, paid for through federal funds.

The National Fusion Center Conference will be held in New Orleans in March, 2010.

To: CN=Seth Oster/OU=DC/O=USEPA/C=US@EPA[]
Cc: "Lisa Heinzerling" [heinzerling.lisa@epa.gov]; Gina (Sheila) McCarthy" [mccarthy.gina@epa.gov]; N=Richard Windsor/OU=DC/O=USEPA/C=US@EPA;"Diane Thompson" [thompson.diane@epa.gov]; Diane Thompson" [thompson.diane@epa.gov]
From: CN=Katharine Gage/OU=DC/O=USEPA/C=US
Sent: Fri 9/11/2009 10:01:15 PM
Subject: Re: Browner Meeting Monday

We are looking at 3-4pm on Monday for this meeting. I will let you all know when this is confirmed.

From: Seth Oster/DC/USEPA/US
To: Richard Windsor/DC/USEPA/US@EPA
Cc: "Lisa Heinzerling" <heinzerling.lisa@epa.gov>, Katharine Gage/DC/USEPA/US@EPA, "Gina (Sheila) McCarthy" <mccarthy.gina@epa.gov>, "Diane Thompson" <thompson.diane@epa.gov>
Date: 09/11/2009 04:32 PM
Subject: Re: Browner Meeting Monday

Monday would certainly work much better than Tuesday if the cars rule is going to be announced at the WH on Tuesday (as is currently the plan). It would give us a chance to frame the discussion as how this all fits together before the proposed cars rule is unveiled. Can still, of course, be done on Tuesday maybe after the briefing since you'll be there. But it would be more strategic on Monday.

Seth Oster
Associate Administrator
Office of Public Affairs
Environmental Protection Agency
(202) 564-1918
oster.seth@epa.gov

From: Richard Windsor/DC/USEPA/US
To: Katharine Gage/DC/USEPA/US@EPA
Cc: "Diane Thompson" <thompson.diane@epa.gov>, "Seth Oster" <oster.seth@epa.gov>, "Gina (Sheila) McCarthy" <mccarthy.gina@epa.gov>, "Lisa Heinzerling" <heinzerling.lisa@epa.gov>
Date: 09/11/2009 04:15 PM
Subject: Re: Browner Meeting Monday

I spoke to Carol about this and she suggested Monday or Tuesday. This meeting is with Anita Dunn and David Seamus. So we can try Tuesday since I prefer to have it earlier in the day on either day if at all possible. Seth and Gina should come. If Tx.

----- Original Message -----

From: Katharine Gage
Sent: 09/11/2009 04:00 PM EDT
To: Richard Windsor
Subject: Browner Meeting Monday

Administrator,

Browner's office called about another communications strategy meeting on Monday. The only time that looks like it will work for both of you is 5:45pm. Would that be OK to set up? If not I can push back to try and get something in the early afternoon.

To: CN=Gina McCarthy/OU=DC/O=USEPA/C=US@EPA;CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA;"Lisa Heinzerling" [Heinzerling.Lisa@EPA.GOV]; N=Richard Windsor/OU=DC/O=USEPA/C=US@EPA;"Lisa Heinzerling" [Heinzerling.Lisa@EPA.GOV]; Lisa Heinzerling" [Heinzerling.Lisa@EPA.GOV]
From: CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US
Sent: Sat 9/12/2009 3:12:40 AM
Subject: Re: Call

I sent the language to you earlier, Lisa - let me know if you didn't get it,

----- Original Message -----

From: Gina McCarthy

Sent: 09/11/2009 10:27 PM EDT

To: Richard Windsor; "Lisa Heinzerling" <Heinzerling.Lisa@EPA.GOV>

Subject: Call

Jody is setting up the conf call for tomorrow at 9. She will send along the number.

Lisa J - did you get the proposed language? I emailed but some of my emails are bouncing back. If not, maybe Lisa H could forward it to you.

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: CN=Gina McCarthy/OU=DC/O=USEPA/C=US@EPA[]
From: CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US
Sent: Sat 9/12/2009 3:20:01 AM
Subject: document
follow-up 9.11.09 REV.doc

Here it is. Sorry it didn't go through earlier.

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=David McIntosh/OU=DC/O=USEPA/C=US
Sent: Sat 9/12/2009 2:25:59 PM
Subject: Fw: Materials for principals' meeting regarding competitiveness
[CompetitivenessMemo_091109.doc](#)
[EPACompilationCompetitiveness_091109.doc](#)
[AppendixA_EligibilityandRequirementsTable.xls](#)
[AppendixB_EPAIndustryComparison.doc](#)
[AppendixC_S.Finance Analysis - Competitiveness.ppt](#)
[Appendix D_CompetitivenessResearch.pptx](#)

FYI. As per our earlier exchange. The second attached document is the most important one. The first attached document is really just a first draft for me and Gina to revise prior to presenting you with a final memo making recommendations for the principals' meeting.

----- Forwarded by David McIntosh/DC/USEPA/US on 09/12/2009 10:23 AM -----

From: Bella Tonkonogy/DC/USEPA/US
To: David McIntosh/DC/USEPA/US@EPA, Dina Kruger/DC/USEPA/US@EPA, Reid Harvey/DC/USEPA/US@EPA
Date: 09/11/2009 04:20 PM
Subject: Materials for principals' meeting regarding competitiveness

Hi David-

Attached please find the draft revised materials you requested in preparation for the principals' meeting on competitiveness. Part A is the strategic memo. Part B is the cover memo and compilation of work EPA has completed on competitiveness. These documents have Reid's sign-off but have not yet been shared with Gina. We will wait to receive your feedback.

Please let me know if you have questions/need anything else.

Best,
Bella

A) Memo on Output-Based Rebates and Border Taxes:

B) Compilation of EPA Competitiveness Analysis:

Bella Tonkonogy
U.S. Environmental Protection Agency
Climate Economics Branch
Climate Change Division
202.343.9183
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www.epa.gov/climatechange

Deliberative

Series 1



Series 2

Series 3

Series 4

Series 5

Deliberative

BLS Projections  EIA Projections  Global Insight Projections

20%
15%
10%
5%
0%
-5%
-10%
-15%
-20%

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EPA-0013430001224-0001

Deliberative

To: "Richard Windsor" [Windsor.Richard@epamail.epa.gov]
From: CN=Diane Thompson/OU=DC/O=USEPA/C=US
Sent: Sat 9/12/2009 4:23:00 PM
Subject: Fw: EMBARGOED: Weekly Address: President Obama Highlights New Treasury Report on Instability of Health Insurance in America
[HERE](#)
[HERE](#)
www.whitehouse.gov

Fyi

From: "Milakofsky, Benjamin E." [Personal Privacy]
Sent: 09/11/2009 06:35 PM AST
To: "Lu, Christopher P." [Personal Privacy] "Smith, Elizabeth S."
<[Personal Privacy] "Kimball, Astri B." <[Personal Privacy] "Hurlbut,
Brandon K." [Personal Privacy] "French, Michael J."
[Personal Privacy] "Milakofsky, Benjamin E."
<[Personal Privacy] "Taylor, Adam R." [Personal Privacy]
Subject: EMBARGOED: Weekly Address: President Obama Highlights New Treasury Report on Instability of Health Insurance in America

Dear Chiefs of Staff:

Please see the President's weekly address on Health Insurance.

--Cabinet Affairs

THE WHITE HOUSE

Office of the Press Secretary

EMBARGOED UNTIL 6:00 AM ET, SATURDAY, September 12, 2009

WEEKLY ADDRESS: President Obama Highlights New Treasury Report on Instability of Health Insurance in America

WASHINGTON – In this week’s address, President Barack Obama highlighted a new report from the Treasury Department that found that about half of all Americans under 65 will lose their health coverage at some point over the next ten years. The report also found that Americans under 21 have more than a 50-percent chance of going uninsured at some point in that time. And more than one-third of Americans will go without coverage for longer than one year. The full Treasury report can be viewed [HERE](#).

The full audio of the address is [HERE](#). The video can be viewed online at www.whitehouse.gov.

Remarks of President Barack Obama

Weekly Address

The White House

September 12, 2009

On Wednesday, I addressed a joint session of Congress and the American people about why we need health insurance reform and what it will take to do it.

Since then, I’ve continued to hear from many Americans across the country about why this is so urgent and important.

I’ve heard from Americans who can’t get health coverage; men and women who worry that one accident or illness could drive them into bankruptcy.

And I’ve heard from Americans with insurance who thought that “the uninsured” always referred to someone else – but between skyrocketing costs and insurance company practices; they’re beginning to worry that they could find themselves uninsured too.

It’s an anxiety that’s keeping more and more Americans awake at night. Over the last twelve months, nearly six million more Americans lost their health coverage – that’s 17,000 men and women every single day. We’re not just talking about Americans in poverty, either – we’re talking about middle-class Americans. In other words, it can happen to anyone.

And based on a brand-new report from the Treasury Department, we can expect that about half of all Americans under 65 will lose their health coverage at some point over the next ten years. If you’re under the age of 21 today,

chances are more than half that you'll find yourself uninsured at some point in that time. And more than one-third of Americans will go without coverage for longer than one year.

I refuse to allow that future to happen. In the United States of America, no one should have to worry that they'll go without health insurance – not for one year, not for one month, not for one day. And once I sign my health reform plan into law – they won't.

My plan will provide more security and stability to those who have health insurance; offer quality, affordable choices to those who currently don't; and bring health care costs for our families, our businesses, and our government under control.

First of all, if you are among the hundreds of millions of Americans who already have insurance through your job, or Medicare, or Medicaid, or the VA, nothing in my plan will require you or your employer to change the coverage or the doctor you have.

What my plan will do is make the insurance you have work better for you. We'll make it illegal for insurance companies to deny you coverage because of a pre-existing condition, drop your coverage when you get sick, or water it down when you need it most. They'll no longer be able to place some arbitrary cap on the amount of coverage you can receive in a given year or over a lifetime, and we will place a limit on how much you can be charged for out-of-pocket expenses – because no one should go broke just because they get sick.

Second, if you're one of the more than thirty million American citizens who can't get coverage, you'll finally have quality, affordable choices. If you lose your job, change your job, or start your own business, you will be able to get coverage.

And as I have said over and over again, I will not sign a plan that adds one dime to our deficits – period. This plan will be paid for. The middle-class will realize greater security, not higher taxes. And if we can successfully slow the growth of health care costs by just one-tenth of one percent each year, it will actually reduce the deficit by \$4 trillion over the long term.

Affordable, quality care within reach for the tens of millions of Americans who don't have it today. Stability and security for the hundreds of millions who do. That's the reform we seek.

We have had a long and important debate. But now is the time for action. Because every day we wait, more Americans will lose their health care, their businesses, and their homes – but also the dreams they've worked for and the peace of mind they deserve. They are why we have to succeed.

So if you're willing to put country before party and the interests of our children above our own; if you refuse to settle for a politics where scoring points is more important than solving problems; and if you believe, as I do, that America can still come together to do great things – then join us. Give us your help. And we will finally get health insurance reform done this year.

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: CN=Bob Perciasepe/OU=DC/O=USEPA/C=US@EPA;CN=Peter Silva/OU=DC/O=USEPA/C=US@EPA[]; N=Peter Silva/OU=DC/O=USEPA/C=US@EPA[]
From: CN=Bob Sussman/OU=DC/O=USEPA/C=US
Sent: Sun 9/13/2009 2:06:15 PM
Subject: Great lakes strategy

Lisa -- I know you chatted with Cam Davis on the GL Strategy we will submit to OMB tomorrow. Cam also briefed me and Pete, and I took some time to read through the Strategy. Through the lens of our Chesapeake Bay experience, **Deliberative**

Deliberative

Senior Policy Counsel to the Administrator
Office of the Administrator
US Environmental Protection Agency

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: CN=Mathy Stanislaus/OU=DC/O=USEPA/C=US@EPA;CN=Bob Perciasepe/OU=DC/O=USEPA/C=US@EPA;CN=Adora Andy/OU=DC/O=USEPA/C=US@EPA;CN=Diane Thompson/OU=DC/O=USEPA/C=US@EPA;CN=Seth Oster/OU=DC/O=USEPA/C=US@EPA;CN=Arvin Ganesan/OU=DC/O=USEPA/C=US@EPA[]; N=Bob Perciasepe/OU=DC/O=USEPA/C=US@EPA;CN=Adora Andy/OU=DC/O=USEPA/C=US@EPA;CN=Diane Thompson/OU=DC/O=USEPA/C=US@EPA;CN=Seth Oster/OU=DC/O=USEPA/C=US@EPA;CN=Arvin Ganesan/OU=DC/O=USEPA/C=US@EPA[]; N=Adora Andy/OU=DC/O=USEPA/C=US@EPA;CN=Diane Thompson/OU=DC/O=USEPA/C=US@EPA;CN=Seth Oster/OU=DC/O=USEPA/C=US@EPA;CN=Arvin Ganesan/OU=DC/O=USEPA/C=US@EPA[]; N=Diane Thompson/OU=DC/O=USEPA/C=US@EPA;CN=Seth Oster/OU=DC/O=USEPA/C=US@EPA;CN=Arvin Ganesan/OU=DC/O=USEPA/C=US@EPA[]; N=Seth Oster/OU=DC/O=USEPA/C=US@EPA;CN=Arvin Ganesan/OU=DC/O=USEPA/C=US@EPA[]; N=Arvin Ganesan/OU=DC/O=USEPA/C=US@EPA[]
From: CN=Bob Sussman/OU=DC/O=USEPA/C=US
Sent: Sun 9/13/2009 2:22:25 PM
Subject: Coal ash impoundment inspection reports

Lisa -- Wanted to make sure you're plugged into the latest developments on the assessment of coal ash impoundments. We now have inspection reports from EPA contractors for 22 facilities (representing 47 impoundments) that received ratings of high potential hazard. The reports assign a rating to the structural integrity and condition of the impoundment and recommend remedial actions. There are four types of ratings; the lowest is unsatisfactory and the next lowest is poor. No impoundments were rated unsatisfactory but nine were considered poor. OSWER is preparing to send letters to all the facility owners (regardless of rating) asking them implement the report recommendations and report back to EPA on their plans within two weeks. The hope is that the letters will go out tomorrow (although this is not certain) and we will then post the reports on the EPA Website by Tuesday or Wednesday. (It turns out draft reports were earlier shared with the companies to correct inaccuracies). We will obviously need to brief the Hill and will have a communications strategy.

Robert M. Sussman
Senior Policy Counsel to the Administrator
Office of the Administrator
US Environmental Protection Agency

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US
Sent: Sun 9/13/2009 2:40:56 PM
Subject: good news re: cars

OMB has cleared our discussion of consumer savings.

To: "Lisa Jackson" [windsor.richard@epa.gov]
From: CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US
Sent: Sun 9/13/2009 10:03:02 PM
Subject: Fw: Interior Dept. Secretarial Order
SO 9-13.doc

This is cool.

From: David_Hayes
Sent: 09/13/2009 05:36 PM AST
To: Lisa Heinzerling; Personal Privacy monica/medina@noaa.gov;
jane.lubchenco@noaa.gov; jreich@doc.gov; grant.leslie@usda.gov
Cc: Personal Privacy
Subject: Interior Dept. Secretarial Order

As an FYI, Ken Salazar will be signing a Secretarial Order tomorrow that establishes some new internal organizational tools for our Interior Department to respond to climate change impacts that are affecting our Departmental responsibilities. The Order follows several months of internal effort in organizing our bureaus and agencies to move in tandem with each other, and with Ken's priorities, on climate change. We're pleased with the results, and are looking forward to a robust program that will break down our silos and facilitate joint work by our Fish & Wildlife Service, Park Service, BLM, USGS, etc. Also, via our new Department-wide Climate Change Response Council, we will be in a better position to coordinate all of our efforts closely with your agencies, and we will look forward to doing so!

Please keep a close hold on the attached Secretarial Order. It will go public tomorrow at 2:00. There could be some minor changes to it before it goes final. We'll be sure and send you the final version.

Thanks.

-- David

SECRETARIAL ORDER

ORDER NO. XXX

SIGNATURE DATE: September 14, 2009

Subject: Addressing the Impacts of Climate Change on America's Water, Land and Other Natural and Cultural Resources

Deliberative

Deliberative

Deliberative

Deliberative

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Lisa Heinzerling/OU=DC/O=USEPA/C=US
Sent: Mon 9/14/2009 12:19:04 PM
Subject: EPA-HUD-DOT joint cover letter

Hi Lisa,

A letter will be coming your way today that is proposed as a joint cover letter from you and Secretaries Donovan and LaHood, relating to the budget request for the sustainable communities partnership. I don't have a final version yet because we're enhancing the green infrastructure piece as discussed last week. But I wanted to let you know the letter was coming.

Lisa

To: CN=Diane Thompson/OU=DC/O=USEPA/C=US@EPA;Bob Persciaseppe;CN=Scott Fulton/OU=DC/O=USEPA/C=US@EPA;CN=Michelle DePass/OU=DC/O=USEPA/C=US@EPA[]; ob Persciaseppe;CN=Scott Fulton/OU=DC/O=USEPA/C=US@EPA;CN=Michelle DePass/OU=DC/O=USEPA/C=US@EPA[]; N=Scott Fulton/OU=DC/O=USEPA/C=US@EPA;CN=Michelle DePass/OU=DC/O=USEPA/C=US@EPA[]; N=Michelle DePass/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
Bcc: []
From: CN=Richard Windsor/OU=DC/O=USEPA/C=US
Sent: Mon 9/14/2009 6:09:56 PM
Subject: Fw: Garcia Resume
[garcia resume 2009.9-12-09.wpd](#)
[share your photos.](#)

for EJ position. Thoughts?

----- Forwarded by Richard Windsor/DC/USEPA/US on 09/14/2009 02:08 PM -----

From: Mathy Stanislaus/DC/USEPA/US
To: Richard Windsor/DC/USEPA/US@EPA, "Michelle DePass" <DePass.Michelle@epamail.epa.gov>
Date: 09/14/2009 06:34 AM
Subject: Fw: Garcia Resume

From: **Personal Privacy**
Sent: 09/14/2009 04:52 AM GMT
To: Mathy Stanislaus
Subject: Garcia Resume

Mathy:

Per your request, attached please find my resume. Please let me know if you need anything else.

Thank you, Lisa Garcia.

With Windows Live, you can organize, edit, and share your photos.

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA;CN=Scott
Fulton/OU=DC/O=USEPA/C=US@EPA[]; N=Scott Fulton/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Diane Thompson/OU=DC/O=USEPA/C=US
Sent: Mon 9/14/2009 8:12:28 PM
Subject: Fw: Regional Administrators

See below

Diane E. Thompson
Chief of Staff
U. S. Environmental Protection Agency
202-564-6999
----- Forwarded by Diane Thompson/DC/USEPA/US on 09/14/2009 04:12 PM -----

From: Marygrace Galston/DC/USEPA/US
To: "Diane Thompson" <Thompson.Diane@epamail.epa.gov>
Date: 09/14/2009 12:29 PM
Subject: Regional Administrators

I just met with folks over here regarding regionals. Here are a couple of things.

Region 1: Curt Spaulding is final pick

Region 2: they are waiting to hear how conversation with LPJ and Schumer went. His CoS told WH that interview did not go well, so WH wants to see if Lisa talks to him, and what she thinks.

Region 3: Shawn Garvin final

Region 4: Personal Privacy

Region 6: Al came out of vetting clean. The WH is working on the politics of him and will get right back to us.

Region 7: Karl Brooks final

Region 8: Jim Martin final

Region 9: Jared Blumenfeld final

Region 10: Dennis McCleran in for vetting, WH has no problem with him once he clears vetting.

Deliberative

To: CN=Richard Windsor/OU=DC/O=USEPA/C=US@EPA[]
Cc: CN=Steve Owens/OU=DC/O=USEPA/C=US@EPA;CN=Arvin
Ganesan/OU=DC/O=USEPA/C=US@EPA;CN=Diane
Thompson/OU=DC/O=USEPA/C=US@EPA[]; N=Arvin
Ganesan/OU=DC/O=USEPA/C=US@EPA;CN=Diane
Thompson/OU=DC/O=USEPA/C=US@EPA[]; N=Diane
Thompson/OU=DC/O=USEPA/C=US@EPA[]
From: CN=Bob Sussman/OU=DC/O=USEPA/C=US
Sent: Mon 9/14/2009 9:33:26 PM
Subject: TSCA --LATEST

Lisa -- per CEQ, it looks like the next step on TSCA is a "deputies" meeting this Wednesday, with OIRA, CEA and NEC, followed by a "principals" meeting early next week (as opposed to this week, when the meeting was originally scheduled). I think the idea of the "deputies" meeting is to discuss the politics of TSCA

Deliberative

Deliberative

Arvin should have his overview paper for the COS shortly.

Robert M. Sussman
Senior Policy Counsel to the Administrator
Office of the Administrator
US Environmental Protection Agency

To: "Richard Windsor" [Windsor.Richard@epamail.epa.gov]; Diane Thompson" [Thompson.Diane@epamail.epa.gov]; Bob Sussman" [Sussman.Bob@epamail.epa.gov]; Steve Owens" [Owens.Steve@epamail.epa.gov]
From: CN=Arvin Ganesan/OU=DC/O=USEPA/C=US
Sent: Mon 9/14/2009 10:02:30 PM
Subject: Fw: memo to WH on TSCA
TSCA memo

Good evening administrator,

I'm attaching a memo with bob and steve's edits to the WH on TSCA, its status and our principles (which will be attached). Do you have any thoughts or edits?

Thanks.

Sent from my Blackberry Wireless Device

From: Arvin Ganesan
Sent: 09/14/2009 05:59 PM AST
To: Arvin Ganesan
Subject: memo to WH on TSCA

Personal Privacy

CONFIDENTIAL MEMORANDUM

TO: Rahm Emanuel
Jim Messina
Pete Rouse
Phil Schiliro
FROM: Lisa Jackson
DATE: September 9, 2009
SUBJECT: US Chemical Policy

Deliberative

Deliberative

Deliberative

Deliberative